

TUESDAY, APRIL 26, 1988

EIGHTY-EIGHTH LEGISLATIVE DAY

The House met at 1.00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. David Lyle, Eagleville Baptist Church, Eagleville, Tennessee, guest of Representative Fred Hobbs.

Representative Fred Hobbs led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

The Speaker announced that Representative Starnes was excused because of a prior out-of-state commitment.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: The officers of your Committee on Calendar and Rules begs leave to report that we have met and set the following additional bills and/or resolutions on the Calendar for Tuesday, April 26, 1988: House Bills Nos. 1711, 1712, 1731, 2146, 1786, 2275 and 2274; House Joint Resolutions Nos. 518, 567, 625 and 639; Senate Joint Resolution No. 334; House Bills Nos. 75, 412, 945, 1367, 1463, 1503 and 1705.

PHILLIPS, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 2309 and 2408; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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Senate Bill No. 2309 -- Health and Environment, Department of -- Provides for the termination of employees who reveal the date, time or place of department inspections. Amends TCA, Title 68.

Senate Bill No. 2408 -- Health and Environment, Department of -- Requires department to assist in implementation of program of family life technical assistance. Amends TCA 49-1-205.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1638, for further consideration.

CLYDE W. McCULLOUGH, Jr.,
Chief Clerk.

REGULAR CALENDAR

MOTION

Rep. Bragg moved to consider House Bill 1712 out of order as the first bill on today's calendar, which motion prevailed.

***House Bill No. 1712** -- Appropriations -- Makes appropriations to defray the expenses of state government for fiscal year beginning July 1, 1987.

On motion, House Bill No. 1712 was made to conform with Senate Bill No. 2106.

On motion, **Senate Bill No. 2106**, on same subject, was substituted for House Bill No. 1712.

Rep Bragg moved passage of Senate Bill 2106 on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend Senate Bill 2106 by deleting each and every section of Senate Bill No. 2106 and by substituting instead new Sections 1 through 45, namely:

Sections 1 through 45 of House Bill No. 1712 as introduced on January 25, 1988; printed and distributed as House Bill No. 1712; and considered to be part of this amendment.

On motion, Amendment No. 1 was adopted.

Rep. Bragg moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 2106 by deleting the word "reading" in Section 1, Title III-24, and by substituting instead the word "consideration".

AND FURTHER AMEND by deleting the words and symbols "Senate Bill No. ___/House Bill No. ___" in Section 7, Item 5, and by substituting instead the words and figures "Senate Bill No. 2105 / House Bill No. 1711".

AND FURTHER AMEND by deleting the figure "1987" in Section 9, Item 4, and by substituting instead the figure "1988".

AND FURTHER AMEND by deleting the letters and symbols "SB /HB ___" in Section 10, Item 9, and by substituting instead the words and figures "Senate Bill 2115 / House Bill 1767".

AND FURTHER AMEND by deleting the words and figures "Title 14, Chapter 32, Part 1" in Section 15, Item 6, and by substituting instead the words and figures "Title 71, Chapter 1, Part 2".

AND FURTHER AMEND by deleting the words "any convening of the Ninety-fifth General Assembly" in the second paragraph of Section 26 and by substituting instead the words "any convening of the Ninety-sixth General Assembly".

AND FURTHER AMEND by deleting the words "this session" in the first sentence of the last paragraph of Section 27 and by substituting instead the words "this section".

AND FURTHER AMEND by deleting the word "expanstion" in Section 40, Item 3, and by substituting instead the word "expansion".

AND FURTHER AMEND by deleting the word "appropriation" in Section 41, Item 4, and by substituting instead the word "appropriations".

AND FURTHER AMEND by deleting the letters and symbols "SB /HB ___" in Section 41, Item 25, and by substituting instead the words and figures "Senate Bill No. 2116 / House Bill No. 1768".

AND FURTHER AMEND by deleting in Section 1, Title III-16, items 6.3 and 6.4, and by substituting instead new items to read:

"6.3 Medicaid Long-Term Care 93,977,200.00

6.4 Indigent Care Services 38,950,700.00"

AND FURTHER AMEND by adding the following new items at the end of Section 7:

Item ___. To provide the first year's debt service on the general obligation bonds in the amount of nineteen million dollars (\$19,000,000.00) authorized by Senate Bill No. 2111/House Bill No. 1731, to purchase the Carroll Office Building, there is hereby appropriated a sum sufficient from the State Office Buildings and Support Facilities revolving fund.

Item _____. For the purpose of defraying the costs of issuance of debt and the administration of authorized programs of the Tennessee Local Development Authority, there is hereby appropriated to the Tennessee Local Development Authority an amount not to exceed \$25,000.00 from the sinking fund balance. Such amounts shall be determined as necessary by the State Funding Board and the Tennessee Local Development Authority.

AND FURTHER AMEND by deleting the words and figures "four thousand eight hundred dollars (\$4,800.00)" and "one thousand two hundred dollars (\$1,200.00)" where they appear in Section 10, Item 7, of the bill as introduced, and by substituting instead the words and figures "seven thousand two hundred dollars (\$7,200.00)" and "one thousand eight hundred dollars (\$1,800.00)".

AND FURTHER AMEND by deleting the period at the end of the second sentence in Section 10, Item 7, of the bill as introduced, and by inserting the following "and the Secretary shall be paid an additional one thousand two hundred dollars (\$1,200.00) annually for additional duties required of him."

AND FURTHER AMEND by inserting in Section 10, item 10 of the bill, as introduced, immediately following item (2) the following:

"(3) payment of extraordinary expenditures for insect and pest control efforts by the Department of Agriculture," and by renumbering the subsequent item accordingly.

AND FURTHER AMEND by deleting Section 10, item 11, of the bill as introduced, in its entirety and by substituting instead a new item to read:

Item 11. Notwithstanding any provision of the law to the contrary, the Department of Transportation shall not release or make available information which reveals the amount of funding available for any project.

AND FURTHER AMEND by adding the following new items at the end of Section 10:

Item _____. The department of conservation shall conduct phase II of the study of the feasibility of constructing golf courses at Reelfoot, Rock Island, Chickasaw, Natchez Trace, and Panther Creek State Parks. Such study shall include an analysis of the costs and benefits of privatization of such golf courses and related facilities.

Item _____. From the funds appropriated to the commission on aging by the provisions of this act, there is earmarked the sum of one hundred thousand dollars (\$100,000) to be used solely and exclusively for funding the Retired Senior Volunteer Program (RSVP).

Item _____. From the funds appropriated to the Tennessee historical commission by the provisions of this act, there is earmarked the sum of sixty thousand dollars (\$60,000) for the sole purpose of making a grant in such amount to the Tennessee historical society to publish, jointly with the state museum, a book on Tennessee furniture, to serve also as a catalog for the forthcoming exhibit at the state museum. The historical society and the state museum foundation shall equally divide any proceeds from the sale of such book and the society shall remit fifty percent (50%) of the gross proceeds to such foundation on a quarterly basis.

Item __. From the funds appropriated to the department of education by the provisions of this act, there is earmarked the sum of two hundred thousand dollars (\$200,000) for the sole purpose of providing supervisors of attendance for all county wide school systems. For the purpose of distributing such funds, each such system shall be assumed to have one thousand four hundred seventy-one (1471) ADA.

Item __. Out of funds appropriated to the Department of Transportation, there is hereby allocated \$12,800,000 to the Transportation Equity Fund, or such amount as may arise from tax revenues dedicated to this fund. If the amount in the fund is greater than \$12,800,000, then the Commissioner of Transportation shall apply to the finance committees of the Senate and House of Representatives through an expansion request for expenditure of any such additional funds. If the amount raised through the dedicated taxes is less than \$12,800,000, then only the amount raised through such dedicated taxes may be expended.

Item __. From the funds appropriated to or available to the Tennessee Wildlife Resources Agency, there is earmarked the sum of fifty thousand dollars (\$50,000) for the purpose of contracting for the construction of an access and boat ramp on the left bank of the Mississippi River on or near River Mile Mark 795.8 off State Highway No. 19 near Ashport, Tennessee, in Lauderdale County.

Item __. From the funds appropriated to the department of state for use in matching Federal Title II, Library Construction funds by the provisions of this act, there is earmarked the sum of twelve thousand dollars (\$12,000) to be allocated to Signal Mountain for the sole purpose of completing the town library.

Item __. From the funds appropriated to the department of transportation by the provisions of this act, there is earmarked a sum not to exceed fifty thousand dollars (\$50,000) to be allocated to the National Association of Civilian Conservation Corps Alumni (NACCCA) for the erection of markers in state parks, as provided in Senate Bill 1360 / House Bill 1637. This appropriation shall take effect only if Senate Bill 1360 / House Bill 1637 becomes a law.

Item __. From the appropriations made in this act to the various agencies and departments, there is hereby earmarked an amount not to exceed two hundred sixteen thousand dollars (\$216,000) for the establishment of a sick leave bank for state employees pursuant to the provisions of Senate Bill 2039 / House Bill 2329. The amount earmarked in this item shall take effect only if Senate Bill 2039 / House Bill 2329 becomes law.

Item __. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is appropriated to the department of revenue from revenues produced by the sale of cultural motor vehicle plates and allocated to the Tennessee arts commission pursuant to Tennessee Code Annotated, Section 55-4-307 and the provisions of this act, the amount of sixty-seven thousand four hundred fifty dollars (\$67,450) for the purpose of administering the provisions of Senate Bill 2126 / HB 1913.

Item ___. Notwithstanding any provision of law to the contrary, all funds appropriated to the legislative branch which remain unobligated and unexpended on June 30, 1989, shall not revert to the general fund but shall be carried forward in a reserve to be expended in accordance with the approval of the Speaker of the House of Representatives and the Speaker of the Senate.

Item ___. From the funds in the transportation equity fund, there is appropriated the sum of fifty thousand dollars (\$50,000) to be allocated to the metropolitan airport authority for the sole purpose of expansion of the airport and related facilities at the Springfield - Robertson County airport.

Item ___. From monies heretofore received in connection with oil overcharge judgments and the earnings accruing thereon, there is hereby appropriated to the department of economic and community development the sum of three million dollars for The Elk Regional Resource Authority (TERRA), created pursuant to Title 64, Chapter 5, Tennessee Code Annotated, as amended. The commissioner of economic and community development is hereby authorized to establish reasonable terms and conditions in connection with the expenditure of the funds appropriated hereby. Any funds appropriated hereby that remain unexpended at the end of any fiscal year shall not revert to the general fund but shall remain available for TERRA within the budget of the department of economic and community development until June 30, 1993.

Item ___. From the appropriations made in this act to the various agencies and departments, there is hereby earmarked an amount not to exceed one hundred thousand dollars (\$100,000) pursuant to the provisions of Senate Bill 2041/House Bill 2331. The amount earmarked in this item shall take effect only if Senate Bill 2041/House Bill 2331 becomes law.

Item ___. From funds appropriated by the provisions of this act to implement federal court orders relative to desegregation in institutions of higher education, there is earmarked the sum of three hundred forty thousand dollars (\$340,000) to be allocated to Tennessee State University for the purpose of defraying the costs of implementing the federal court orders regarding the desegregation of the state colleges and universities.

Item ___. From the funds appropriated in this act to the "Drug Free Tennessee" program, there is hereby appropriated a sum sufficient to the department of mental health and mental retardation to make grants, subject to a local match, to provide qualified trainers to be available for inservice training of principals and teachers in signs and symptoms of student drug use and abuse and to provide a student assistance program in schools authorizing drug testing of students. This appropriation is subject to the passage of SB 1929 / HB 1663. The commissioner of finance and administration is authorized to transfer funds appropriated in this act for the "Drug Free Tennessee" program to the department of mental health and mental retardation as required. This appropriation is subject to approval by the commissioner of finance and administration.

Item ___. From funds appropriated to the state university and college system, there is earmarked the sum of fifty thousand dollars (\$50,000) to be allocated to Volunteer State Community College for a sound system and related acoustical improvements for the gymnasium.

AND FURTHER AMEND by adding the following new items at the end of Section 12:

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the state historical commission for the sole purpose of making a grant to Rock Castle Historic Site for administrative equipment, interpretative programs and archaeological investigations.

Item __. There is hereby appropriated the sum of one hundred sixty two thousand dollars (\$162,000) to the Tennessee Consolidated Retirement System for the purposes of funding an increase in retirement benefits as provided under Public Chapter __ of 1988 (Senate Bill No. 1547 / House Bill No. 1437). The appropriation made herein shall take effect only if Senate Bill No. 1547 / House Bill No. 1437 becomes law.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred thousand dollars (\$200,000) to Middle Tennessee State University for the sole purpose of paving a parking lot at the livestock pavilion.

Item __. In addition to all other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Stewart County for the construction, maintenance, improvement, and/or purchase of a portable building for Stewart County.

Item __. In addition to all other funds appropriated by the provisions of this act, there is hereby appropriated the sum of twenty-five thousand dollars (\$25,000) to the Houston County Fire Department for the purchase of a fire engine and other fire-fighting equipment.

Item __. In addition to all other funds appropriated by the provisions of this act, there is hereby appropriated the sum of fifty thousand dollars (\$50,000) for a feasibility study for the expansion of the Johnsonville Historic Area into a full state park at Trace Creek on Kentucky Lake.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed one hundred seventy thousand dollars (\$170,000) for the purpose of weatherization and roof and exterior repair of Harned Hall. The appropriation made in this item is subject to the approval of the commissioner of finance and administration and the state building commission.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Montgomery County for renovation and repair of the Montgomery County Historical Museum.

Item __. There is hereby appropriated the sum of nine thousand eight hundred thirty dollars (\$9,830) to the Tennessee Consolidated Retirement System for purposes of funding the provisions of Public Chapter __ of 1988 (Senate Bill No. 1341 / House Bill No. 1328). The appropriation made herein shall take effect only if Senate Bill No. 1341 / House Bill No. 1328 becomes law.

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Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eleven thousand seven hundred dollars (\$11,700) to the Tennessee Sentencing Commission for printing costs for the publication of the proposed Criminal Code, Classification and Sentencing Guidelines.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred thousand dollars (\$200,000) to the department of tourist development for the sole purpose of making a grant in such amount to Historic Rugby, Inc. which may be used to provide matching funds for an anticipated National Endowment for the Humanities Challenge Grant, and/or the development of capital/educational facilities as outlined in Historic Rugby's Second Century Campaign program goals. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the Lincoln County Museum and Civic Center.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred forty thousand dollars (\$240,000) to be allocated as follows:

East Tennessee Human Resource Agency	\$30,000
Knoxville, Tennessee	
First Tennessee Human Resource Agency	\$30,000
Johnson City, Tennessee	
Mid Cumberland Human Resource Agency	\$30,000
Nashville, Tennessee	
Northwest Human Resource Agency	\$30,000
Martin, Tennessee	
South Central Human Resource Agency	\$30,000
Fayetteville, Tennessee	
South East Human Resource Agency	\$30,000
Dunlap, Tennessee	
Southwest Human Resource Agency	\$30,000
Henderson, Tennessee	
Upper Cumberland Human Resource Agency	\$30,000
Algood, Tennessee	

All funds appropriated pursuant to this item shall be appropriated and administered by the department of finance and administration. Provided, however, that each such human resource agency shall provide a match of twenty-five percent (25%) of the state appropriation made in this item prior to October 30, 1988, or the portion of the appropriation made to such agency for

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which such match is not provided shall be void and of no effect. The appropriations made in this item shall be subject to the approval of the commissioner of finance and administration.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of finance and administration to be allocated to the utility management review board for staff, travel expenses, supplies, communication expenses, postage, court reporters, and utilities studies.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) in sums of fifteen thousand dollars (\$15,000) each for the Elk River Development Agency, the Beech River Watershed Development Authority, the Sequatchie Valley Planning and Development Agency and the Upper Duck River Agency.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thirteen thousand dollars (\$113,000) to the Tennessee School for the Blind for the Teacher Infant Parent Services program for the sole purpose of establishing an early intervention program for visually impaired children in Tennessee from birth to three (3) years of age.

Item ___. In addition to all other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed \$5,285.50 to pay any unpaid balance due Magna Carta in America. This appropriation is subject to the approval of the amount due by the Commissioner of Finance and Administration.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of health and environment for the sole purpose of making a grant in such amount to the Van Buren County Community Development and Service Board.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of agriculture for the purpose of making a grant in such amount for land acquisition, development and equipment of the hydrocooler vegetable project in Cannon County.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred ten thousand dollars (\$110,000) to the board of regents of the university and community college system for the purpose of allocating such funds to the Tennessee Fire School to be allocated as follows:

Cascade System	\$ 2,500
Vehicle Replacement	30,000
Sprinkler Trailer	2,500
Breathing Apparatus	6,000

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A/V Lending Library	15,000
Fueling System, Drill Field . .	15,000
Fireground Simulators	9,000
Part-time Program Equipment . .	<u>30,000</u>
Total	<u>\$110,000</u>

It is the intention of the general assembly that the appropriation made in this item be nonrecurring. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eighty-five thousand dollars (\$85,000) to the East Tennessee Children's Museum, Inc.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to the General Assembly to defray the expenses of the National Conference of State Legislatures to be held in Nashville in 1990. The appropriation made in this item shall not revert to the general fund on June 30, 1989, but shall be carried forward in a reserve for such purpose.

Item __. To the extent that federal funds available to the department of human services for rehabilitative services exceed the amount in Section 4, Title III-18-4.1 (\$33,291,900), there is hereby appropriated, in addition to the amounts in Section 1, Title III-17-4.1 (\$6,204,100), a sum sufficient not to exceed two hundred thousand dollars (\$200,000) to be available to match available federal funds.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of human services for the sole purpose of making a grant in such amount to The King's Daughters Day Home for the purpose of providing additional facilities for child care services.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of education for the sole purpose of making a grant in such amount to the Mary Walker Foundation.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of economic and community development for the sole purpose of making a grant in such amount to the Perry Co. Industrial Park in Linden, Tennessee.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of conservation for the sole purpose of making a grant in such amount to be divided equally between the volunteer fire departments in Decatur County.

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Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of finance and administration for the sole purpose of making a grant in such amount to Waynesboro, Tennessee, for Project Tomorrow.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety-five thousand dollars (\$95,000) to the Tennessee children's services commission for the sole purpose of increasing the state juvenile justice supplement for each participating county from eight thousand five hundred dollars (\$8,500) to nine thousand five hundred dollars (\$9,500). The appropriation made in this item shall be subject to the approval of the commissioner of finance and administration.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the Tennessee children's services commission for the purpose of continuing court appointed special advocate programs.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eighteen thousand dollars (\$18,000) to the Mississippi River Parkway Commission.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the Tennessee Historical Commission for the sole purpose of making a grant in such amount to the Stanton Garden and Historical Society for the sole purpose of preserving and restoring the Stanton Lodge and Old School located in Stanton, Tennessee.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the Tennessee historical commission for the sole purpose of making a grant in such amount to the Haywood County Conservation Board for the sole purpose of completion of the College Hill Restoration Project.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the department of conservation for the sole purpose of making a grant in such amount to the town of Halls for the purpose of renovating, upgrading and equipping municipal parks.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-five thousand dollars (\$45,000) to the department of health and environment for the purpose of including Sequatchie, Hardeman, Fayette, and Knox Counties in the residential home for the aged reimbursement program, established pursuant to Tennessee Code Annotated, Section 12-4-320. The appropriation made by this item shall be subject to SB 2290 / HB 2207 becoming a law.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Tennessee Neighborhood Development Corporation for the purpose of making grants to inner city neighborhood revitalization projects.

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Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twelve thousand dollars (\$12,000) to the department of conservation for the sole purpose of making a grant in such amount to the town of Red Bank to be used for the sole purpose of renovating and rejuvenating an old city park.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred forty-six thousand seventy-five dollars (\$246,075) for the purpose of implementing Senate Bill 2375 / House Bill 2313, if such bill becomes a law. The appropriation made in this item shall not take effect unless House Bill No. 1332 / Senate Bill No. 1350 also becomes law.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred fifty thousand dollars (\$250,000) to the department of conservation for the sole purpose of making a grant in such amount to the McMinn County Living Heritage Museum. The appropriation made in this item shall be matched on a one for one basis; provided, however, that the funds may be matched by the value of real property, personal property, services, labor or other in kind match provided by such museum. The appropriation made in this item shall be subject to the approval of the commissioner of finance and administration.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Heritage Museum in Erwin, Tennessee for the sole purpose of making general improvements at such museum.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the state board of regents to conduct a study of the library facilities of Memphis State University. Such study shall examine the needs of the students, faculty and university and develop options to meet such needs. The appropriation made in this item shall be subject to the approval of the Tennessee Higher Education Commission and the commissioner of finance and administration.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-eight thousand dollars (\$38,000) to Henry County for building renovation, construction, or repair.

Item __. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of thirty-eight thousand dollars (\$38,000) to the Carroll County Watershed Authority for the purpose of funding expenses of the Beaver Creek Flood Plain Management Study as estimated below:

Aerial photography-flying	\$ 2,250
Photo Development	750
Photo grammetric mapping	35,000

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to the

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department of human services for the sole purpose of making grants in such amount to be allocated equally between domestic violence programs and the Nashville Coalition on Child Abuse.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety-nine thousand seven hundred seventy-four dollars (\$99,774) for the purpose of implementing Senate Bill 1811 / House Bill 1544, if such bill becomes a law. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item __. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of fifteen thousand dollars (\$15,000) to the Oak Ridge Children's Museum.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one million six hundred forty-seven thousand eight hundred dollars (\$1,647,800) to the department of mental health and mental retardation for the purpose of rate adjustments for mental retardation community services. Expenditure of these funds is subject to a plan of allocation by the department of mental health and mental retardation and approval by the commissioner of finance and administration. Provided, however, that the allocation plan shall be subject to review by the Special Joint Committee created by House Joint Resolution number 412 of the Ninety-fifth General Assembly relative to mental retardation delivery systems and such committee must conduct such review in a reasonable period of time before the commissioner of finance and administration gives final approval to the allocation of funds pursuant to this item.

Item __. In addition to any other funds already appropriated to the Department of Conservation, Tennessee Historical Commission by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) for Rocky Mount Historical Association. These funds are for operational expenses on a recurring basis.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-seven thousand five hundred dollars (\$37,500) to the department of conservation for the sole purpose of making a grant in such amount to Gibson County for fire fighting equipment for rural fire protection.

Item __. In addition to any other funds appropriated in this act, there is hereby appropriated the sum of \$301,000 to the Department of Mental Health and Mental Retardation to provide matching funds for federal aid available under the Stewart B. McKinney Homeless Assistance Act (P.L. 100-77). There is further appropriated \$250,000 in federal aid funds.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the department of conservation for the sole purpose of making a grant in such amount to Bradley County for the purpose of constructing a Bradley/Cleveland Youth Center.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars

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(\$7,500) to the state historical commission for the sole purpose of making a grant in such amount to the Cleveland Public Library to employ a consultant to initiate the process of establishing a local history museum in the historic Craigmiles House.

Item __. In addition to any other appropriation made by this act, there is appropriated the sum of thirty-six thousand five hundred dollars (\$36,500) to the department of health and environment for the purpose of including Madison County in the residential home for the aged reimbursement program per the program provided for in Tennessee Code Annotated, Section 12-4-320.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Shelby County for the construction of a boat ramp in Shelby County.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred sixty thousand dollars (\$160,000) to the Tennessee Council for the Hearing Impaired for the sole purpose of allocating such funds to the five (5) regional community service centers for the deaf located in Chattanooga, Knoxville, Johnson City, Nashville and Memphis. Such funds shall be allocated in such manner that each center receives total state funding of one hundred thousand dollars (\$100,000).

Item __. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of fifty thousand dollars (\$50,000) to the Dyer County Fair Association for an agricultural building.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Tennessee Film, Entertainment and Music Commission for the sole purpose of making a grant in such amount to the Memphis and Shelby County Film, Tape and Music Commission for general support and operating funds. The appropriation made in this item shall be nonrecurring.

Item __. In addition to other funds appropriated to the Department of State, there is hereby appropriated the sum of nine hundred six thousand six hundred dollars (\$906,600) for use in matching Federal Title II, Library Construction Funds made available to Tennessee under the Library Services and Construction Act and which require matching on a 50/50 basis at the state and/or local level.

Subject to the approval of the State Library and Archives Management Board, the funds may be utilized in assisting with the matching of federal funds applied to library construction at the following locations across the state:

Anderson County/Lake City	Madison County/Jackson
Blades County/Pikeville	McNairy County/Adamsville
Carter County/Elizabethton	Roane County/Kingston
Cheatham County/Kingston Spgs.	Rutherford Co./Murfreesboro
Davidson County/Nashville	Scott County/Oneida

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Decatur County/Decaturville	Sequatchie County/Dunlap
Fentress County/Jamestown	Sullivan County/Blountville
Franklin County/Winchester	Sumner County/Millersville
Grainger County/Bean Station	Sumner County/Westmoreland
Grundy County/Altamont	Unicoi County/Erwin
Hamilton County/Chattanooga	Weakley County/Dresden
Hardeman County/Bolivar	Weakley County/Martin
Henry County/Paris	Williamson County/Fairview
Houston County/Erin	Wilson County/Lebanon

Provided, however, the utilization of State funds for matching purposes shall not exceed the ratio of seventy-five percent (75%) state and twenty-five percent (25%) local funds.

These funds shall remain available until expended for the purposes for which they were appropriated.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) to the department of economic and community development for the sole purpose of making a grant in such amount to the City of Caryville for the purpose of acquiring and/or improving real property for an industrial park; provided, however, that the commissioner of finance and administration shall not release such funds unless the city matches such funds at the rate of one dollar (\$1.00) of local funds for each one dollar (\$1.00) of state funds or unless such commissioner determines that the matching requirement should be waived. The appropriation made in this item shall be nonrecurring.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of State the sum of fifty thousand dollars (\$50,000) for the purchase of ballot boxes by the coordinator of elections.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the department of agriculture for the sole purpose of making a grant in such amount to the Tennessee Beef Agribition for the purpose of promotion and advancement of Tennessee's leading agricultural commodity - beef.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred ninety-six thousand dollars (\$296,000) to the department of conservation for the sole purpose of constructing a visitor's center at Frozen Head State Park. The appropriation made in this item is subject to the approval of the commissioner of finance and administration and the commissioner of conservation.

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Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the Nashville Minority Business Development Center.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Lawrence County for the Lawrence County Tomorrow program.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Lewis County for the Lewis County Tomorrow program.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy thousand dollars (\$70,000) for the purpose of implementing Senate Bill 2451 / House Bill 2147, if such bill becomes a law.

Item __. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of thirteen thousand nine hundred forty dollars (\$13,940) to the Tennessee Historical Society for the purpose of printing two thousand (2000) copies of the 1967-1986 cumulative index to the Tennessee Historical Quarterly.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of agriculture for the sole purpose of making a grant in such amount to the Tennessee Walking Horse Breeders and Exhibitors Association for use in the futurity program of such association. The appropriation made in this item is subject to the approval of the commissioner of finance and administration and the commissioner of agriculture.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-six thousand dollars (\$76,000) to the Beck Cultural Center in the City of Knoxville.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) for the completion of the Fountain City Lake and Park Project in Knox County. The appropriation made in this item shall be nonrecurring.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) for the repair and renovation of buildings at Chilhowee Park in Knoxville. The appropriation made in this item shall be nonrecurring.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the Tennessee commission on the holocaust so that the commission shall receive total state funding of thirty thousand dollars (\$30,000) for the 1988-1989 fiscal year.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000.00) to the city of Westmoreland for public works purposes.

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Item __. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the department of revenue the amount of eighteen thousand eight hundred dollars (\$18,800) for the purpose of administering the provisions of SB 1778 / HB 1732.

Item __. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the department of revenue the amount of fifty-eight thousand five hundred dollars (\$58,500) for the purpose of administering the provisions of Chapter 572 of the Public Acts of 1988.

Item __. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the Department of Revenue the amount of thirty-two thousand six hundred eighty-five dollars (\$32,685) for the purpose of administering the provisions of Chapter 562 of the Public Acts of 1988.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred seventeen thousand one hundred dollars (\$117,100) to the general assembly to implement the governor's pay plan for state employees in the legislative branch.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred twenty-one thousand two hundred dollars (\$121,200) to the department of state to implement the governor's pay plan for state employees in such department.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred six thousand five hundred dollars (\$106,500) to the office of the comptroller of the treasury to implement the governor's pay plan for state employees in such office.

Item __. In addition to any other funds appropriated by the provisions of this act there is appropriated the sum of forty thousand dollars (\$40,000), thirty-four thousand dollars (\$34,000) of which shall be appropriated from departmental revenues, to the department of the treasury to implement the governor's pay plan for state employees in such department.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-four thousand dollars (\$34,000) to the department of conservation for the sole purpose of making a grant in such amount to the city of Elizabethton for the purpose of replacing the roof on the old National Guard Armory so that such building may be used as a recreation center; provided, however, that the commissioner of finance and administration shall not release such funds until the city matches such funds at the rate of one dollar (\$1.00) of local funds for each one dollar (\$1.00) of state funds.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety thousand dollars (\$90,000) to the University of Tennessee for the sole purpose of expanding the sales ring of

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the bull performance testing station and constructing a conference room to seat 175 to 200 persons at the Middle Tennessee Agricultural Experimental Station located at Spring Hill, Tennessee. The appropriation made in this item is subject to the approval of the state building commission.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the Rose Center and Council for the Arts in Morristown, Tennessee, for the sole purpose of building restoration and construction.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the City of Kingsport for the sole purpose of funding the construction phase of Bays Mountain City Park learning center.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the department of conservation for the sole purpose of making a grant in such amount to the city of Gruetli-Laager for the sole purpose of completing the Gruetli-Laager Volunteer Recreation Park; provided, however, that the commissioner of finance and administration shall not release such funds unless such city matches such funds at the rate of one dollar (\$1.00) of local funds for each one dollar (\$1.00) of state funds.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of six thousand dollars (\$6,000) to the department of health and environment for the purpose of including Grundy County in the residential home for the aged reimbursement program established by Tennessee Code Annotated, Section 12-4-320.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the department of agriculture for the sole purpose of making a grant in such amount to Grundy County for the sole purpose of constructing a pole barn to be used for a Grundy County Youth Agricultural Education Center.

Item __. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Tennessee consolidated retirement system the sum of nine hundred dollars (\$900) representing estimated first year's funding costs for Senate Bill 542 / House Bill 439. This appropriation shall take effect only if Senate Bill 542 / House Bill 439 becomes a law.

Item __. Subject to the passage of SB 1633 / HB 2091 relative to the authority of the Supreme Court to waive the ceilings on criminal indigent defense compensation in exceptional cases, there is hereby appropriated the additional sum of one hundred thirty-one thousand dollars (\$131,000) to the executive secretary of the supreme court for indigent defense compensation.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Dickson County for the repair, renovation and preservation of the

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county courthouse which is listed on the National Register of Historic Places; provided, however, that the commissioner of finance and administration shall not release such funds until such county matches such funds at the rate of one dollar (\$1.00) of local funds for each one dollar (\$1.00) of state funds.

Item __. There is hereby appropriated the sum of five thousand eight hundred and twenty-five dollars (\$5,825) to the Tennessee Consolidated Retirement System for purposes of funding the benefits provided under Public Chapter __ of 1988 (Senate Bill 1890 / House Bill 1505). The appropriation made herein shall take effect only if Senate Bill 1890 / House Bill 1505 becomes law.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the city of Brentwood for the purpose of developing recreation facilities on land purchased from the state to provide such facilities to the two (2) schools located adjacent to such property.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the department of conservation for the sole purpose of providing or making a grant for lighting and improvements at Hopewell Youth Ballpark in Bradley County.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thirteen thousand dollars (\$113,000), which shall be a recurring appropriation, and fifty thousand dollars (\$50,000), which shall be a nonrecurring appropriation, for the purpose of implementing the provisions of Senate Bill 1130 / House Bill 1127. This appropriation shall take effect only if Senate Bill 1130 / House Bill 1127 becomes a law.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one thousand dollars (\$1,000) to the Tennessee Historical Commission for the sole purpose of making a grant in such amount to Rock House in White County. The appropriation made in this item shall be recurring.

Item __. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Board of Medical Examiners, an amount equal to eighty-five percent (85%) of the additional revenue which is generated by any increase in the annual physician license renewal fee if such additional revenue is generated as a result of an increase in the annual renewal fee occurring after July 1, 1988. It is the express legislative intent that eighty-five percent (85%) of any revenue generated by the board from a license renewal fee increase in the upcoming fiscal year be returned to the board from the State General Fund in order to provide for the operation of the Board of Medical Examiners.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of human services for the sole purpose of making a grant in such amount to the Nashville South Street Community Center to be used for maintenance of the facility and to make repairs and renovations to comply with applicable building codes.

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Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Hickman County for the purpose of acquiring property for and developing an industrial park; provided, however, that the commissioner of finance and administration shall not release such funds until such county matches such funds at the rate of one dollar (\$1.00) of local funds for each one dollar (\$1.00) of state funds. This appropriation shall be held by the commissioner of finance and administration until an appropriate site is located and the acquisition is made.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Roane County to repair the entrance to Mt. Roosevelt Overlook.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand one dollars (\$5,001) to Roane County for the sole purpose of making a grant in such amount to the Heritage Commission for historic preservation.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand ninety-six dollars (\$30,096) for the purpose of implementing Senate Bill 1109 / House Bill 540, if such bill becomes a law.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the City of Jonesboro for flood control. The appropriation made in this item is subject to the approval of the state building commission. Any funds appropriated by the provisions of this item which remain unobligated or unexpended on June 30, 1989, shall not revert to the general fund but shall remain available until expended in accordance with the provisions of this item.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one million dollars (\$1,000,000) for the purpose of implementing Senate Bill No. 1503 / House Bill No. 1705, if such bill becomes law.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of finance and administration for the sole purpose of making a grant in such amount to Grainger County for purchase of equipment. The appropriation made in this item is subject to the rules and regulations of the department of finance and administration.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of finance and administration for the sole purpose of making a grant in such amount to Jefferson County for the renovation of public facilities. The appropriation made in this item is subject to the rules and regulations of the department of finance and administration.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) for the purpose of implementing Senate Bill 2008 / House Bill 1758, if such bill

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becomes a law. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eight thousand dollars (\$8,000) to the department of tourist development for the sole purpose of making a grant in such amount to the Sulfur City Association in Red Boiling Springs for tourist attraction activities.

Item __. In addition to any other funds appropriated by Section 1, Title 11-2, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) to the executive secretary of the supreme court for the sole purpose of matching federal funds to maintain and operate a capital case resource center of Tennessee so as to expedite litigation and improve the administration of justice by assisting court appointed lawyers in capital cases.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the department of conservation for the sole purpose of making a grant in such amount to the City of Bristol for the purchase of materials to be used in the construction of a nature center at Steele Creek Park.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the department of transportation for the sole purpose of resurfacing state aid road number 7607 in Scott County.

Item __. In implementing the provisions of Tennessee Code Annotated, Section 4-7-205, no employee's salary shall be reduced.

Item __. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of fifty thousand dollars (\$50,000) from the general fund to the department of transportation to complete the Reelfoot Spillway Project.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred nine thousand dollars (\$109,000) to support and encourage community based initiatives to prevent the occurrence of pregnancy among Tennessee's children aged ten (10) through seventeen (17) and to address the problems arising from parenthood by such children, such appropriation to be allocated in the following manner:

(a) Five thousand dollars (\$5,000) to the interdepartmental coordination council, created by Tennessee Code Annotated, Section 37-3-108, for development and implementation of a public awareness campaign; provided, however, that the appropriation of such five thousand dollars (\$5,000) is contingent upon Senate Bill 2465 / House Bill 2342 becoming law.

(b) Thirty-one thousand five hundred dollars (\$31,500) to the interdepartmental committee, created by Tennessee Code Annotated, Section 37-3-111, to provide financial assistance to community based initiatives designated as model teenage pregnancy programs; provided, however, that appropriation of such thirty-one thousand five hundred

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dollars (\$31,500) is contingent upon passage of Senate Bill 2464 / House Bill 2345.

(c) Ten thousand five hundred dollars (\$10,500) to the interdepartmental committee, created by Tennessee Code Annotated, Section 37-3-111, for organization and presentation of regional conferences to showcase community based initiatives designated as model teenage pregnancy programs; provided, however, that appropriation of such ten thousand five hundred dollars (\$10,500) is contingent upon passage of Senate Bill 2406 / House Bill 2346.

(d) Thirty thousand dollars (\$30,000) to the interdepartmental coordination council, created by Tennessee Code Annotated, Section 37-3-108, for establishment and implementation of a system of competitive grants in order to financially encourage and support creation of community based programs and projects which seek to replicate components of teenage pregnancy programs designated as model programs pursuant to Tennessee Code Annotated, Section 37-3-111; provided, however, that appropriation of such thirty thousand dollars (\$30,000) is contingent upon passage of Senate Bill 2407 / House Bill 2338.

(e) Sixteen thousand dollars (\$16,000) to the interdepartmental coordination council, created by Tennessee Code Annotated, Section 37-3-108, for development and implementation of a program of technical support and assistance for local education agencies which desire to establish teen peer counseling groups; provided, however, that appropriation of such sixteen thousand dollars (\$16,000) is contingent upon passage of Senate Bill 2466 / House Bill 2340.

(f) Sixteen thousand dollars (\$16,000) to the department of health and environment for operation of the Tennessee informational clearinghouse on teenage pregnancy; provided, however, that the appropriation of such sixteen thousand dollars (\$16,000) is contingent upon Senate Bill 2462 / House Bill 2281 becoming law.

The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eighteen thousand five hundred dollars (\$18,500) to the city of Sparta for the sole purpose of installing lights at the joint city-county ball park of the city of Sparta.

Item ___. In addition to all other monies appropriated to the University of Tennessee, there is hereby appropriated the sum of twenty-five thousand dollars (\$25,000) to be used to establish pilot projects in American Sign Language in conjunction with the state board of education, the state department of education, and the state board of regents.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of economic and community development for the sole purpose of making the grants to purchase firefighting equipment in the following amounts:

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Scott County	\$12,000
Pickett County	8,000
Clay County	10,000
Jackson County	10,000
Macon County	10,000

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred thousand dollars (\$200,000) to the department of veterans' affairs for establishment of a veterans' nursing home in Rutherford County. The appropriation made in this item shall be nonrecurring. The funds appropriated by the provisions of this item shall be reimbursed by such department from excess revenues from the operation of such nursing home.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of six thousand dollars (\$6,000) to the department of military for the purpose of reconstruction work on the "Trail of Tears" in Warren County.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated from the Hazardous Waste Remedial Action Fund reserve account a sum not to exceed four hundred thousand dollars (\$400,000) to the Department of Health and Environment for implementation of Senate Bill 2118 / House Bill 1770. This authorization will allow the department to provide technical assistance to industries in Tennessee generating hazardous waste and to consult with them on methods of waste minimization, treatment, reduction or recycling. It will also allow the department to make demonstration grants or research grants as may assist industry in hazardous waste management.

Item __. In addition to any other funds appropriated by Section 1 of this act, there is appropriated the sum of six hundred fifteen thousand dollars (\$615,000) to the Department of Health and Environment, pursuant to revenue generated by passage of Senate Bill 2198 / House Bill 1978, for the expansion of contracts with local governments for inspection of food service establishments, hotels, and public swimming pools and the administration of this program.

Item __. Notwithstanding any provision of the law to the contrary, the Board of Claims may hear claims of state employees or next-of-kin resulting from job exposure to radioactive materials on or after January 1, 1971.

Item __. In addition to the appropriation made in Section 1 of this act to the Foreign Language Institute, there is hereby appropriated the sum of fifteen thousand dollars (\$15,000.00) to the Foreign Language Institute.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the Memphis Minority Business Development Center for the purpose of matching federal funds.

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Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to Tennessee State University for the Special Service - Upward Bound program. The appropriation made in this item shall be recurring.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Department of Mental Health and Mental Retardation for the sole purpose of contracting with Siskin Memorial in Chattanooga to provide services for thirty (30) mentally retarded, multiple handicapped pre-school children.

AND FURTHER AMEND by adding the following new item at the end of Section 31:

Item __. The appropriation in Section 1, Title III-10, item 2.3 for Chairs of Excellence, shall be subject to the provisions of Tennessee Code Annotated, Sections 49-7-501 and 49-7-502.

AND FURTHER AMEND by adding the following at the end of the last paragraph of Section 32:

"To provide for said salary policy the appropriations made in Sections 1 and 4 of this act for employee salary improvements shall be subject to reallocation and transfer by the Commissioner of Finance and Administration. The authority to reallocate funds includes the authority to transfer within and between departments and agencies. Federal aid funds and other departmental revenues shall be adjusted accordingly to reflect the transfer of state appropriations."

AND FURTHER AMEND by adding the following new items at the end of Section 35:

Item __. From the appropriations made to the Better Schools Program under Section 1, Title III-9, in Chapter 457 of the Public Acts of 1987, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Teacher Tuition Reimbursement program.

Item __. From the appropriations made to the Department of Safety under Section 1, Title III-20, in Chapter 457 of the Public Acts of 1987, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to provide for expenditures in the police pay supplement program.

Item __. From the appropriations made to the Department of Labor under Section 1, Title III-13, in Chapter 457, of the Public Acts of 1987, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$35,000.00 to the Division of Worker's Compensation for systems development costs.

Item __. From the appropriations made to the Department of Revenue under Section 1, Title III-18, in Chapter 457, of the Public Acts of 1987, the Commissioner of Finance and Administration is authorized to transfer appropriations within the department.

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Item __. From the appropriations made under Section 1, Title II, in Chapter 457 of the Public Acts of 1987, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$12,700.00 to the Appellate Court Clerks.

Item __. From the appropriations made under Section 1, Title III-2, in Chapter 457 of the Public Acts of 1987, to the Department of General Services, the Commissioner of Finance and Administration is authorized to transfer amounts not to exceed \$100,000.00 to the James K. Polk Office Building and \$50,000.00 to the Division of Information Systems and Records Management.

Item __. From the appropriations made under Section 1, Title III-3, in Chapter 457 of the Public Acts of 1987, to the Department of Agriculture, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$25,000.00 to the Division of Commodities Distribution.

Item __. From the appropriations made under Section 1, Title III-14, in Chapter 457 of the Public Acts of 1987, to the Department of Mental Health and Mental Retardation, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$300,000.00 to the Greene Valley Developmental Center.

Item __. From the appropriations made under Section 1, Title III-15, in Chapter 457 of the Public Acts of 1987, to the Department of Military, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$150,000.00 to Armories Utilities.

AND FURTHER AMEND by adding the following new items at the end of Section 36:

Item __. The unexpended balance of the appropriation made to the State Board of Equalization for the purpose of conducting a current value index pilot study for property tax assessments, under Section 12, item 56 in Chapter 937, Public Acts of 1986, is hereby reappropriated to be expended for such purposes in the 1988-89 fiscal year.

Item __. The unexpended balance of the appropriation made to the Department of Correction for State Prosecutions in Section 38 of this act, is hereby reappropriated to be expended in the 1988-89 fiscal year. Jail beds actually under construction upon the effective date of passage of SB 2184/HB 1964 shall be eligible for reimbursement payments from the funds appropriated herein.

Item __. The unexpended balances of the appropriations made to the Department of General Services under Chapter 457 of the Public Acts of 1987, are hereby reappropriated to be expended for purposes of automation in the 1988-89 fiscal year.

Item __. Subject to the approval of the Commissioner of Finance and Administration, the unexpended balances of the appropriations made to the Department of Economic and Community Development and the Department of Tourist Development under Chapter 457 of the Public Acts of 1987 for advertising purposes, are hereby reappropriated in the 1988-89 fiscal year.

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Item __. From the unexpended balances of the appropriations made to the Department of Mental Health and Mental Retardation under Chapter 457 of the Public Acts of 1987, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$600,000.00 to the Middle Tennessee Mental Health Institute and Clover Bottom Developmental Center and the sum of \$600,000.00 is hereby reappropriated to be expended in the 1988-89 fiscal year to provide for a new food service delivery system.

Item __. The unexpended balance of the appropriation made to the Tennessee Advisory Commission on Intergovernmental Relations under Section 12, item 29 in Chapter 937, of the Public Acts of 1986, and under Section 43, item 3 in Chapter 457, of the Public Acts of 1987, is hereby reappropriated to be expended for such purpose in the 1988-89 fiscal year.

Item __. The unexpended balances of the appropriations made to the Department of Conservation for Chilhowee Park in Knoxville and the Zoological Society of Middle Tennessee, which were appropriated under the authority of Chapter 457, of the Public Acts of 1987, in Section 10, item 29 and in Section 12, item 34, are hereby reappropriated to be expended for such purposes in the 1988-89 fiscal year.

Item __. The unexpended balance of the appropriation made to the Department of Economic and Community Development under Section 12, item 48 in Chapter 937, of the Public Acts of 1986, and under Section 43, item 8 in Chapter 457, of the Public Acts of 1987, is hereby reappropriated to be expended for such purpose in the 1988-89 fiscal year.

Item __. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the Department of Revenue the amount of five thousand dollars (\$5,000) for the purpose of administering the provisions of House Bill 2391 (SB 2442). The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item __. In addition to the appropriations made to the Department of Economic and Community Development in Chapter 457, Public Acts of 1987 and in Section 1 of this act, there is hereby appropriated the sum of twenty-five thousand dollars (\$25,000) to pay the 1987-88 and 1988-89 state membership dues to the Southern Center for International Studies, the annual dues being twenty-five thousand dollars (\$25,000). The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item __. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the Department of Revenue the amount of forty-two thousand four hundred fifty-five dollars (\$42,455) contingent upon Senate Bill 1354 (HB 1891) becoming law, for the purpose of administering the provisions of that bill.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the Southwest Tennessee Development District for the sole purpose of making a grant in such amount to the city of Selmer, Tennessee, for its recreational park in Selmer, Tennessee. The appropriation in this item shall be non-recurring.

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Item __. In addition to other funds appropriated by this act, there is hereby appropriated to the Department of Commerce and Insurance, Division of Regulatory Boards the sum of three hundred twenty-seven thousand two hundred twenty-one dollars (\$327,221) for the sole purpose of implementing the provisions of Senate Bill 1615 / House Bill 1606. The appropriation contained in this item shall have no effect unless Senate Bill 1615 / House Bill 1606 becomes law.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Lake City for promotion of tourism.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the historical commission for the sole purpose of making a grant to the Union County Historical Museum.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the Oak Ridge YWCA for the purpose of assisting in the funding of operations to benefit emigrant language training, welfare, and other programs operated for the general welfare of the community.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-three thousand three hundred seventy dollars (\$43,370) for the purpose of implementing Senate Bill 2161 / House Bill 1944, if such bill becomes a law.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one million five hundred thousand dollars (\$1,500,000) to the department of human services, family assistance division, for the purpose of implementing the buy-out of child support bonus payments in the food stamp program which will increase the amount of food stamps available to affected AFDC recipients.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the city of Gleason for acquisition of property for industrial development.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the city of Sharon for acquisition of property for industrial development.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred thousand dollars (\$200,000) to the department of finance and administration for the sole purpose of making a grant to the Memphis Food Bank/Metropolitan Inter-Faith Association for the purpose of acquiring a warehouse for their food bank operations; provided, however, that the commissioner of finance and administration shall not release such funds until the city of Memphis matches such funds at the rate of one dollar (\$1.00) of local funds for each one dollar (\$1.00) of state funds.

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Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eighteen thousand five hundred dollars (\$18,500) for renovation and improvement of the Sumner County Museum including, but not limited to, insulation and climate control mechanisms.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the department of conservation for the sole purpose of making a grant for lighting and improvements at Cornersville Youth Ballpark in Marshall County.

Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Tennessee department of conservation for the sole purpose of constructing two (2) ramps to the sheltered fishing pier beneath the C. B. Robinson Bridge.

Item __. The unexpended balance of the appropriation made in Item 60 of Section 12 of Chapter 457 of the Public Acts of 1987 is hereby reappropriated to the Tennessee Neighborhood Development Corporation for the purpose of making a grant to the first recognized and approved local neighborhood development corporation.

AND FURTHER AMEND by deleting Item 10 from Section 37, of the bill as introduced, and by substituting a new Item 10 to read:

Item 10. From accrued sales tax revenue at June 30, 1989, there is hereby appropriated a sum sufficient to establish a reserve for or to recognize the value of compensated leave earned by state employees.

AND FURTHER AMEND by adding the following new items at the end of Section 37:

Item __. The commissioner of finance and administration is directed to transfer to the public service commission for fiscal year 1987-1988 the sum of six hundred thirty-three thousand dollars (\$633,000) from funds in the commission's railroad, utility, and motor carrier accounts previously appropriated to the commission by Section 3, Item 3 of Chapter 457 of the Public Acts of 1987. The commissioner is further directed to transfer an additional six hundred thirty-three thousand dollars (\$633,000) to the public service commission for fiscal year 1988-1989 from such funds.

Item __. From the appropriations made in Section 4 of this act for defense counsel awards, there is hereby appropriated to the Attorney General and Reporter the sum of three hundred twenty-five thousand dollars (\$325,000) for the purpose of establishing five (5) attorney positions and three (3) support positions to enable the Attorney General to defend state officials and employees in litigation which arises from actions taken in the course of official state duties. Further, from the appropriations made in Section 4 of this act for defense counsel awards, there is hereby appropriated to the State Treasurer the sum of forty-six thousand five hundred sixty dollars (\$46,560) for the purpose of funding one (1) attorney position to provide legal assistance to the Board of Claims and the Defense Counsel Commission.

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Item __. In addition to any other funds appropriated by the provisions of this act, there is appropriated from fees collected by the department of state from filing of corporate documents, the sum of three hundred eighty-four thousand one hundred dollars (\$384,100) to such department. Such funds shall be allocated as follows:

(1) Sixty thousand five hundred dollars (\$60,500) to other expenditures to fund the cost of an initial feasibility study concerning the automation of the Uniform Commercial Code filing system; and

(2) Three hundred twenty-three thousand six hundred dollars (\$323,600) to other expenditures to be allocated as follows:

(a) two hundred forty-five thousand seven hundred dollars (\$245,700) to be utilized in covering the billings from ISSD for the development of the Corporate Management System, and

(b) seventy-seven thousand nine hundred dollars (\$77,900) to cover the cost of the personal computer buy-out as requested by the department of finance and administration.

The appropriation made in item (1) of this item shall take effect July 1, 1988 and the appropriation made in item (2) of this item shall take effect upon becoming a law, the public welfare requiring it.

Item __. In addition to the appropriations made in this act and in Chapter 457, Public Acts of 1987, to the State Election Commission, there is hereby appropriated the sum of two hundred twenty-five thousand dollars (\$225,000) in the fiscal year ending June 30, 1988, and two hundred twenty-five thousand dollars (\$225,000) in the fiscal year ending June 30, 1989. Said appropriations are for the purpose of paying salary supplements to the eligible voting registrars-at-large.

Item __. In addition to the capital outlay projects listed in the 1988-89 Budget Document to be funded from Tennessee State School Bond Authority (TSSBA) bonds, the following capital outlay projects are authorized for U. T. Knoxville and the U. T. Medical Center at Knoxville to be funded from TSSBA bonds and/or the hospital's depreciation reserve fund: a) Boling-Thompson Arena Food Services Dining Room - \$1,000,000.00; b) Chiller Plant Expansion - \$1,500,000.00; c) Emergency Room Addition - \$1,435,000.00; and d) Professional Office Building III - \$3,750,000.00.

Item __. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated \$85,000.00 to U. T. Agricultural Extension Service.

Item __. In addition to the appropriation made in Section 1, Title III-24 of this act, to the Department of Safety for capital outlay, there is hereby appropriated for replacement facilities the proceeds from the sale of any real property and facilities being used by the department. This appropriation is subject to approval by the Commissioner of Finance and Administration and the State Building Commission.

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Item ___. In addition to the appropriation made in Section 1, Title II of this act, to the State Law Libraries, there is hereby appropriated the sum of twenty-six thousand dollars (\$26,000.00).

Item ___. In addition to the appropriations made in Section 1, of this act, to match federal funds available to the "Drug Free Tennessee" program, there is hereby appropriated a sum sufficient to match any additional federal funds made available to the "Drug Free Tennessee" program. Said additional federal funds are hereby appropriated. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item ___. In addition to the appropriations made under Chapter 457 of the Public Acts of 1987 to the Department of Personnel, there is hereby appropriated the sum of \$85,000.00 to provide for systems development costs. The Commissioner of Finance and Administration is further authorized to make transfers between the appropriation items made to the Department of Personnel under Chapter 457 of the Public Acts of 1987, to provide for systems development expenditures.

Item ___. In addition to the appropriations made under this act and Chapter 457, of the Public Acts of 1987, for the Medicaid program, there is hereby appropriated an amount not to exceed \$1,100,000.00 in 1987-88 and \$1,200,000.00 in 1988-89 for expenses of eligibility workers assigned to hospitals. The Commissioner of Finance and Administration is authorized to allocate these funds to the Departments of Human Services and Health and Environment and to adjust federal aid funds and other departmental revenue work program allotments accordingly.

Item ___. In addition to the appropriation made under Chapter 457 of the Public Acts of 1987, to the Southern Regional Education Board (SREB), there is hereby appropriated the sum of \$9,500.00 to the SREB to make arrangements for host state functions at the SREB Legislative Work Conference in Nashville on June 19-21, 1988.

Item ___. From highway fund tax revenues accrued at June 30, 1989, there is hereby appropriated a sum sufficient to the Department of Transportation for highway construction purposes. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item ___. In addition to the appropriations made under Chapter 457, of the Public Acts of 1987, to the Department of Transportation, there is hereby appropriated the sum of \$7,000,000 for Highway Maintenance and Marking and the sum of \$3,500,000 for State Construction. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting Section 39 in its entirety and by substituting instead a new Section 39 to read:

SECTION 39. The provisions of this Section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

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	<u>1987-88</u>	<u>1988-89</u>
Judicial	\$ 20,600	\$ 14,400
District Attorneys General		
1. District Attorneys General	\$ 40,600	\$ 80,800
2. IV-D Child Support Program	57,100	248,600
Total District Attorneys General	\$ 97,700	\$ 329,400
Department of State		
1. Regional Libraries	\$ 142,200	\$ -
Department of Treasury		
1. State Treasurer's Office	\$ -	\$ 45,700
Commissions		
1. Commission on Human Rights	\$ 32,000	\$ 39,000
Department of General Services		
1. Division of Postal Services	\$ 230,000	\$ -
2. Federal Surplus Property	30,000	\$ -
3. State Personal Property Utilization	75,000	\$ -
Total Department of General Services	\$ 335,000	\$ -
Department of Agriculture		
1. Plant Industries	\$ 32,500	\$ 21,700
Department of Correction		
1. Knoxville Community Service Center	\$ -	\$ 57,900
2. Tennessee State Industries	\$ -	71,700
3. Institutional Farms	\$ -	80,200
4. Lake County Regional Correctional Facility	\$ -	26,500
Total Department of Correction	\$ -	\$ 236,300
Department of Mental Health and Mental Retardation		
1. Community Mental Health Services	\$ 329,900	\$ 783,100
2. Arlington Developmental Center	28,600	28,600
3. Clover Bottom Developmental Center	28,600	28,600
4. Greene Valley Developmental Center	28,600	600
Total Department of Mental Health and Mental Retardation	\$ 415,700	\$ 868,900

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Department of Military

1. Tennessee Emergency Management Agency	\$ -	\$ 285,000
2. Armories Utilities	38,000	-
Total Department of Military	\$ 38,000	\$ 285,000

Department of Health and Environment

1. Staff Support Services	\$ 413,600	\$ 538,600
2. Emergency Medical Services	49,100	-
3. Laboratory Services	78,100	100,500
4. Waste Water Construction Grants	98,000	282,600
5. Water Quality Control	265,100	-
6. Ground Water	810,200	808,500
7. Crippled Children's Services	75,900	-
8. Communicable Disease Control	647,600	716,500
9. WIC Supplemental Food Program	2,457,500	2,457,500
Total Department of Health and Environment	\$ 4,895,100	\$4,904,200

Department of Human Services

1. Child Support	\$ -	\$ 230,000
2. Family Assistance Division	65,500	124,200
3. Community Services	1,000,000	-
4. Rehabilitative Services	2,000,000	-
5. Disability Determination	-	1,400,000
Total Human Services	\$ 3,065,500	\$ 1,754,200

Department of Safety

1. Administration and Staff Services	\$ 27,900	\$ 27,900
2. Driver Control	110,100	-
3. Highway Patrol	-	500,000
Total Department of Safety	\$ 138,000	\$ 527,900

TOTAL	\$9,212,300	\$ 9,026,700
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The Commissioner of Finance and Administration is authorized to establish 70 full-time positions and 16 part-time and seasonal positions and to allocate them to the appropriate organizational units including one full-time position to Verbatim Transcripts, one full-time position to Alcohol and Drug Administration and ten part-time positions to the Department of Revenue. Any unexpended balances at June 30, 1988, of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 1988.

AND FURTHER AMEND by deleting the second sentence of item 5 of Section 40 and substituting a new sentence to read:

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"In no case shall the maximum infrastructure grant exceed one million dollars (\$1,000,000.00)."

AND FURTHER AMEND by deleting item 8 of Section 41 in its entirety.

AND FURTHER AMEND by deleting the original Item 19 of the original Section 41 in its entirety and by substituting instead the following:

Item 19. The appropriation made in Section 1, Title III-24, for higher education equipment is subject to allocation among institutions by the higher education commission and the commissioner of finance and administration. It is intended that these allocations be in addition to those monies provided through the base appropriations as determined by the higher education commission and approved by the commissioner of finance and administration. Institutions will be required to match these allocations on a dollar for dollar basis. The higher education commission and the commissioner of finance and administration may approve waivers on the matching requirement where warranted. The commissioner of finance and administration is authorized to transfer the appropriation to the institutions of higher education. Provided, however, that the match requirement and the approval of waivers shall be subject to review by the fiscal review committee and such committee must conduct such review in a reasonable period of time before the commissioner of finance and administration gives final approval to the allocation of funds pursuant to this item.

AND FURTHER AMEND by deleting Item 24 of Section 41, of the bill as introduced, in its entirety and by substituting in lieu thereof the following:

Item 24. All savings of appropriations made in this act for employer FICA taxes as a result of employee participation in any cafeteria benefits plan established for state employees, employees of the University of Tennessee and the State Board of Regents, and teachers are hereby appropriated as follows:

a) An amount sufficient to pay the cost of administering any cafeteria benefit plan established for state employees and employees of the University of Tennessee and the State Board of Regents is hereby appropriated for that purpose;

(b) Of any amounts remaining after payment of administrative costs an amount which shall be not less than fifty percent (50%) of such remaining savings to be used to establish day care centers and/or to assist state employees, employees of the University of Tennessee and the State Board of Regents, and teachers requiring financial assistance in obtaining day care services. Such funds shall be administered in accordance with guidelines developed by the Commissioner of Human Services and the Commissioner of Personnel; and

(c) All other savings shall be equitably allocated to the State Group Insurance Committee and the Teacher Group Insurance Committee to enhance the respective insurance programs as the committees determine. The appropriation made by this item shall be subject to the approval of the Commissioner of Finance and Administration.

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AND FURTHER AMEND by deleting the figure "\$4,300,000.00" in Section 41, Item 23, of the bill as introduced, and by substituting instead the figure "\$5,300,000.00".

AND FURTHER AMEND by adding the following new items at the end of Section 41:

Item __. From the appropriation made in Section 38, of the bill as introduced, to the Department of Economic and Community Development for the "95 County Jobs Program," there is hereby appropriated the necessary funds to meet the state's expenditures associated with the superconducting super collider (SSC) proposal. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item __. The Commissioner of Finance and Administration and the State Treasurer, with the approval of the State Comptroller, shall develop and implement a policy to recover the state's cost associated with checks, warrants or drafts deposited to a state account that are subsequently returned unpaid to the drawer's bank.

Item __. From the appropriations made in this act and in Chapter 457 of the Public Acts of 1987 for the IV-D Child Support Program, the Commissioner of Finance and Administration is authorized to make a reallocation of funds between the District Attorneys General and the Department of Human Services.

Item __. From the funds available to the Division of Public Works there is hereby earmarked an amount not to exceed \$400,000 for development and implementation of an Asbestos Program Management Plan for state owned and/or operated elementary and secondary schools pursuant to Federal Public Law 99-519 and the Rules of the Environmental Protection Agency.

This appropriation is subject to approval by the Commissioner of Finance and Administration and the State Building Commission. The Commissioner of Finance and Administration, with the approval of the SBC, may contract with any Local Education Agency (LEA) for the purpose of extending to any LEA, the Asbestos Program Management Planning services herein authorized. The cost of such services hereby authorized and extended to any LEA shall be paid from funds otherwise available to the LEA for such purposes.

Item __. Employees of the Department of Correction whose salaries were overpaid during the period July 1987 through January 1988 because of errors made by the Department of Correction in interpreting Tennessee Code Annotated, Section 4-6-143, as amended by Public Chapter 377 of 1987, shall not be required to repay to the state such overpayments.

Item __. Employees of the Tennessee Bureau of Investigation who received longevity payments pursuant to Tennessee Code Annotated, Section 8-23-206, instead of payments authorized in Tennessee Code Annotated, Section 4-7-111, during the period July 1980 through March 1988, shall not be required to pay to the state any such amount paid in excess of the amount authorized by law. From the funds appropriated in this act, employees of the Tennessee Bureau of Investigation shall be eligible to receive longevity payments pursuant to Tennessee Code Annotated, Section 8-23-206, effective July 1, 1988.

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AND FURTHER AMEND by adding the following new items at the end of Section 43:

Item _____. The appropriation made in Chapter 937, Public Acts of 1986, in Section 12, item 33, is hereby reappropriated to the department of finance and administration for the purpose of making a grant for the renovation of the Paramount Center in Bristol. Said grant is subject to a cash and/or in-kind match of one-to-one.

Item _____. The appropriation made in Chapter 457, Public Acts of 1987, in Section 12, item 15, is hereby reappropriated to the Tennessee Arts Commission to be allocated to the Tipton County Fine Arts Council for the Ruffin Theater. The allocation is subject to a twenty-five percent match in cash and/or in-kind by such Council.

Item _____. The appropriation made in Chapter 457, of the Public Acts of 1987, in Section 12, item 50, is hereby reappropriated to the Utility Management Review Board for administrative expenses.

AND FURTHER AMEND by adding the following new sections immediately preceding Section 44 and by renumbering subsequent sections accordingly:

SECTION ____. The state insurance committee is directed to explore the feasibility of offering employees covered under the basic health benefit plan an optional plan of medical benefits at approximately the same level of benefits that existed for employees using non-preferred providers prior to April 1, 1988. If the Committee determines that such a plan is financially viable and is otherwise feasible, the Committee is authorized to make such an insurance plan available to employees. The Committee is authorized to contribute on behalf of each participating employee the same dollar amount as is contributed for employees participating in the basic health plan and employees participating in HMO's, with the employee responsible for the balance of the premium.

SECTION ____. Funds received by the state as a consequence of the oil overcharge judgments are hereby allocated and appropriated for the following energy conservation purposes:

1. Three million dollars (\$3,000,000.00) for the low income residential weatherization program administered by the Department of Human Services.
2. Five million two hundred thousand dollars (\$5,200,000.00) for the institutional conservation program (ICP), the state energy conservation program (SECP) and the energy extension services (EES) program which are administered by the Department of Economic and Community Development.

SECTION ____. The provisions of this Section shall take effect upon becoming a law, the public welfare requiring it.

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1. There is hereby created a State Office Buildings and Support Facilities revolving fund whose revenues shall not revert to the general fund balance at June 30, 1988 or June 30, 1989. The fund is established to provide for:

(a) Debt service payments on general obligation bonds authorized to build or acquire office buildings and support facilities;

(b) Routine maintenance expenditures on office buildings and support facilities;

(c) Major maintenance and renovation projects for office buildings and support facilities as approved by the State Building Commission;

(d) Relocation expenses for state agencies; and

(e) Payments for leased space occupied by state agencies.

2. Lease payments for space occupied by state agencies shall be established by policy issued by the Commissioner of Finance and Administration and approved by the State Building Commission. Said lease payments shall be paid to the revolving fund.

3. There is hereby appropriated a sum sufficient from the revolving fund to provide for expenditures authorized under item 1 of this section.

4. The Commissioner of Finance and Administration is authorized to transfer to the revolving fund any appropriations made in Sections 1 and 4 of this act and in any other public acts which were made for the purposes listed in item 1 of this section.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Bragg moved that Senate Bill No. 2106, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frenslay, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

***House Bill No. 1711 -- Bond Issues --** Authorizes \$109,100,000 bond issue for various entities of state government.

On motion, House Bill No. 1711 was made to conform with Senate Bill No. 2105.

On motion, **Senate Bill No. 2105**, on same subject, was substituted for House Bill No. 1711.

Rep. Bragg moved passage of Senate Bill No. 2105 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	98
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to House Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 2106 and have this statement entered in the Journal.

I was outside the chamber in a meeting with Senators Hicks and Henry at the time the vote was taken.

Rep. Clark

REGULAR CALENDAR, CONTINUED

***House Bill No. 1731 -- Bond Issues --** Authorizes issuance of \$30 million bond issue for state buildings.

On motion, House Bill No. 1731 was made to conform with Senate Bill No. 2111.

On motion, **Senate Bill No. 2111**, on same subject, was substituted for House Bill No. 1731.

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Rep. Bragg moved passage of Senate Bill No. 2111 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	98
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to House Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 2106 and have this statement entered in the Journal.

Rep. Copeland

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No: 2106.

The Senate nonconcurred in House Amendments Nos. 1 and 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MOTION

Rep. Bragg moved that the House refuse to recede from its action in adopting Amendments Nos. 1 and 2 to Senate Bill No. 2106, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 2382 -- Public Defenders -- Increases costs which defray expense of representation for indigent criminal defendants. Amends TCA, Title 40, Ch. 14, Pt. 2.

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On motion, House Bill No. 2382 was made to conform with Senate Bill No. 2312.

On motion, Senate Bill No. 2312, on same subject, was substituted for House Bill No. 2382.

Rep. Williams moved passage of Senate Bill No. 2312 on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives voting no were: Chiles, Scruggs -- 2.

A motion to reconsider was tabled.

House Bill No. 2380 -- Courts, General Sessions -- Authorizes certain discoveries in general sessions court under same rules as in courts of record. Amends TCA 24-9-102.

On motion, House Bill No. 2380 was made to conform with Senate Bill No. 2068.

On motion, Senate Bill No. 2068, on same subject, was substituted for House Bill No. 2380.

Rep. Williams moved passage of Senate Bill No. 2068 on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May,

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McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

House Bill No. 2383 -- Health and Environment, Dept. of -- Provides for the termination of employees who reveal the date, time or place of department inspections. Amends TCA, Title 68.

On motion, House Bill No. 2383 was made to conform with Senate Bill No. 2309.

On motion, **Senate Bill No. 2309**, on same subject, was substituted for House Bill No. 2383.

Rep. Williams moved passage of Senate Bill No. 2309 on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 2269 and 2509; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 2269 -- Criminal Offenses -- Revises certain provisions relative to child abuse and child sexual abuse.

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Senate Bill No. 2509 -- Hamilton County -- Revises hotel-motel and campground tax. Amends Chapter 102. Private Acts of 1979, as amended.

REGULAR CALENDAR, CONTINUED

House Bill No. 1372 -- Banks and Financial Institutions -- Revises authority and powers concerning certain accounts in certain financial institutions. Amends TCA 45-2-703, 707, 708, 45-2-901, 45-2-1003, 45-3-508, 514, 404, 405.

On motion, House Bill No. 1372 was made to conform with Senate Bill No. 1410.

On motion, **Senate Bill No. 1410**, on same subject, was substituted for House Bill No. 1372.

Rep. Copeland move that Senate Bill 1410 be passed on third and final consideration.

Rep. Tanner moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1410 by adding as a new subsection (g) to the amendatory language of Section 2 the following:

(g) The provisions of subsections (c) through (f) of this section shall not apply to any accounts in existence prior to January 1, 1989.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Copeland moved that Senate Bill No. 1410, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

*House Bill No. 1649 -- Attorneys at Law -- Establishes the Client Security Fund of Tennessee.

Rep. Curlee moved that House Bill No. 1649 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1649 by deleting Sections 1 through 8 as amended in their entirety and substituting instead the following:

SECTION 1. The general assembly finds and declares that it is in the best interests of both the citizens of this state and the legal profession that there be created a "Client Security Fund" for the purpose of providing indemnification to clients who suffer pecuniary loss by reason of fraudulent or dishonest acts on the part of a person licensed to practice law in Tennessee. Therefore, the general assembly declares that the supreme court should establish, create and administer, by rule of court, such a client security fund system. The amount of contribution necessary for a solvent fund, the board or body that administers the fund and hears claims under such fund, the criteria for claims and all procedural matters necessary for the efficient operation of such a security fund system shall be within the discretion of and as directed by the court.

SECTION 2. For the purpose of the supreme court promulgating rules as allowed by Section 1, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall take effect on July 1, 1989.

On motion, Amendment No. 1 was adopted.

Rep. Curlee moved that House Bill No. 1649, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

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Representatives voting no were: Moody, Wheeler -- 2.

A motion to reconsider was tabled.

***House Bill No. 0540 -- Drugs --** Increases penalty for manufacture, delivery or sale of certain controlled substances. Amends TCA 39-6-417.

On motion, House Bill No. 0540 was made to conform with Senate Bill No. 1109.

On motion, **Senate Bill No. 1109**, on same subject, was substituted for House Bill No. 0540.

Rep. Tanner moved passage of Senate Bill No. 1109 on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

House Bill No. 1426 -- Sunset Laws -- Extends termination date of Department of Correction. Amends TCA, Titles 3, 4, 7--10, 16, 33, 37--41, 49, 67.

Rep. King moved that House Bill 1426 be passed on third and final consideration.

Rep. King moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1426 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-209(a), is amended by adding the following new item to be appropriately designated:

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() Department of correction, created by Section 4-3-101;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. King moved that House Bill No. 1426, as amended, be passed on third and final consideration, as amended, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

MOTION

Rep. Bragg moved that the House refuse to recede from its action in adopting Senate Amendments Nos. 1, 2, 3, 4, and 5 to Senate Bill No. 1957, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 2035 -- Metropolitan Government -- Allows municipalities in two or more counties to consolidate with county in which most of territory lies. Amends TCA, Title 7, Ch. 1.

Further consideration of House Bill No. 2035, previously considered on April 18, 1988.

Rep. Yelton moved passage of House Bill No. 2035 on third and final consideration.

Rep. Yelton moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2035 by inserting the following language as new sections immediately preceding the effective date section and by appropriately renumbering the effective date section:

Section _____. Tennessee Code Annotated, Section 7-1-103, is amended by adding the following language to the end of the section:

Nothing contained within the provisions of this section, or any other law, shall be construed to prohibit a municipal corporation, which lies in two (2) or more counties, from consolidating its governmental and corporate functions with the county in which the majority of its territory lies.

Section _____. Notwithstanding the provisions of Tennessee Code Annotated, Section 7-2-106, or any other law to the contrary, whenever a municipal corporation which lies in two (2) or more counties is proposed for consolidation with the county in which the majority of its territory lies, any referendum held pursuant to the provisions of Tennessee Code Annotated, Section 7-2-106, shall also include all qualified voters of the municipal corporation regardless of whether such voters reside or own property outside of the boundaries of the county in which the majority of the municipal corporation's territory lies. The respective county election commissions shall cooperate fully in order to implement the provisions of this section in an effective, efficient, and timely manner.

Section _____. Notwithstanding the provisions of Tennessee Code Annotated, Section 2-2-107, or any other law to the contrary, whenever a municipal corporation which lies in two (2) or more counties consolidates its governmental and corporate functions with the county in which the majority of its territory lies, elections for consolidated government representation and school board representation, as well as all other referenda and elections pertaining to the affairs of such consolidated government, shall also include all qualified voters of such municipal corporation regardless of whether such voters reside or own property outside of the boundaries of the county in which the majority of the municipal corporation's territory lies. The respective election commissions shall cooperate fully in order to implement the provisions of this section in an effective, efficient, and timely manner.

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 1 was adopted.

Rep. Herron moved to amend as follows:

Amendment No. 2

Amend House Bill No. 2035 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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Section _____. The provisions of this act shall not apply in counties having a population of

not less than
32,850
28,250

nor more than
32,950
28,300

according to the 1980 federal census of population or any subsequent census.

On motion, Amendment No. 2 was adopted.

Rep. Long moved to amend as follows:

Amendment No. 3

Amend House Bill No. 2035 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 85,725 nor more than 85,825 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 3 was adopted.

Rep. Davidson moved to amend as follows:

Amendment No. 4

Amend House Bill No. 2035 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 37,000 nor more than 37,100 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 4 was adopted.

Rep. West moved to amend as follows:

Amendment No. 5

Amend House Bill No. 2035 by adding the following language as a new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

The provisions of this act shall not apply to any county having a metropolitan form of government and a population in excess of 450,000 according to the 1980 federal census or any subsequent federal census.

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On motion, Amendment No. 5 was adopted.

Rep. Tanner moved to amend as follows:

Amendment No. 6

Amend House Bill No. 2035 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population of:

not less than

32,760

49,400

nor more than

32,800

49,500

On motion, Amendment No. 6 was adopted.

Rep. Frensley moved to amend as follows:

Amendment No. 7

Amend House Bill No. 2035 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population of

not less than

84,000

58,075

nor more than

84,100

58,175

On motion, Amendment No. 7 was adopted.

Rep. Phillips moved to amend as follows:

Amendment No. 8

Amend House Bill No. 2035 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population of

not less than

19,650

26,400

nor more than

19,725

26,500

On motion, Amendment No. 8 was adopted.

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Thereupon, Rep. Yelton moved that House Bill No. 2035, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	89
Noes.	3
Present and not voting.	4

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 89.

Representatives voting no were: Garrett, Long, Miller -- 3.

Representatives present and not voting were: Good, Head, Nance, Wix -- 4.

A motion to reconsider was tabled.

***House Bill No. 2108 -- Taxes, Sales --** Authorizes certain municipalities to receive increase in amount of tax currently allocated. Amends TCA 67-6-103.

Rep. Huskey moved that House Bill No. 2108 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2108 by deleting Sections 1, 2, and 3 in their entirety and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following:

() A municipality meeting the criteria set forth in subdivision (3)(A)(ii)(b) of this subsection shall also receive in addition to amounts authorized in this subsection in FY 88-89 an amount equal to fifty-six percent (56%) of the amount distributed in FY86-87 in subsequent years.

() A municipality meeting the criteria set forth in subdivision (3)(A)(ii)(c) of this subsection shall also receive in addition to amounts authorized in this subsection and an amount equal to ninety-six (96%) of the amount distributed in FY 86-87 in subsequent years.

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SECTION 2. The provision of this act shall expire on July 1, 1991.

SECTION 3. This act shall take effect on July 1, 1988, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved the previous question, which motion prevailed.

Thereupon, Rep. Huskey moved that House Bill No. 2108, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	89
Noes.	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 89.

Representatives voting no were: DePriest, Hobbs -- 2.

A motion to reconsider was tabled.

House Bill No. 1749 -- Hamilton County -- Revises audit requirements of hotel/motel tax. Amends Ch. 905, Public Acts 1980, as amended.

At the request of Rep. Starnes, the Clerk announced that House Bill No. 1749 be reset on the Calendar for Thursday, April 28, 1988, which motion prevailed.

House Bill No. 2303 -- Election Laws -- Increases pay of county election commission in Hamilton County. Amends TCA, Title 2, Ch. 12.

On motion, House Bill No. 2303 was made to conform with Senate Bill No. 1691.

On motion, ~~Senate Bill No. 1691~~, on same subject, was substituted for House Bill No. 2303.

Rep. Robinson (Hamilton) moved passage of Senate Bill No. 1691 on third and final consideration, which motion prevailed by the following vote:

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Ayes.	93
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

***House Bill No. 2342 -- Teenage Pregnancy --** Directs interdepartmental coordination council to develop and implement teen pregnancy public awareness campaign. Amends TCA 37-3-108.

Rep. DeBerry moved that House Bill No. 2342 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

***House Bill No. 2346 -- Teenage Pregnancy --** Provides for regional conferences or workshops to showcase model teenage pregnancy programs. Amends TCA 37-3-111.

On motion, House Bill No. 2346 was made to conform with Senate Bill No. 2406.

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On motion, **Senate Bill No. 2406**, on same subject, was substituted for House Bill No. 2346.

Rep. DeBerry moved passage of Senate Bill No. 2406 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

***House Bill No. 2345** -- Teenage Pregnancy -- Provides certain fixed monetary award for model teenage pregnancy programs. Amends TCA 37-3-111.

On motion, House Bill No. 2345 was made to conform with Senate Bill No. 2464.

On motion, **Senate Bill No. 2464**, on same subject, was substituted for House Bill No. 2345.

Rep. DeBerry moved passage of Senate Bill No. 2464 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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***House Bill No. 2344** -- Labor, Dept. of -- Provides for certain informational services to certain teen parents participating in federally funded assistance programs. Amends TCA 37-3-521.

On motion, House Bill No. 2344 was made to conform with Senate Bill No. 2459.

On motion, **Senate Bill No. 2459**, on same subject, was substituted for House Bill No. 2344.

Rep. DeBerry moved passage of Senate Bill No. 2459 on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

***House Bill No. 2373** -- Teenage Pregnancy -- Provides certain informational services for certain teens. Amends TCA, Titles 3, 4, 33, 37, 49, 50, 68, 71.

Further consideration of House Bill No. 2373, previously considered on Wednesday, March 30, 1988, at which time the bill was referred to the Calendar and Rules Committee.

On motion, House Bill No. 2373 was made to conform with Senate Bill No. 2461.

On motion, **Senate Bill No. 2461**, on same subject, was substituted for House Bill No. 2373.

Rep. Pruitt moved passage of Senate Bill No. 2461 on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 2514 -- Jackson -- Revises city charter. Amends Chapter 167, Private Acts of 1969.

Rep. Kisber moved that House Bill No. 2514 be passed on third and final consideration.

Rep. Kisber moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2514 by deleting from Section 4 the date "July 1, 1988" wherever it may appear and by substituting instead the date "June 7, 1988".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Kisber moved that House Bill No. 2514, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

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***House Bill No. 2275 -- Alcoholic Beverages --** Authorizes unsealed wine packages to be removed from restaurant. Amends TCA 57-4-203.

On motion, House Bill No. 2275 was made to conform with Senate Bill No. 2073.

On motion, **Senate Bill No. 2073**, on same subject, was substituted for House Bill No. 2275.

Rep. Kernell moved passage of Senate Bill No. 2073 on third and final consideration, which motion prevailed by the following vote:

Ayes.	65
Noes.	24
Present and not voting.	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Cain, Chiles, Collier, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frenslley, Gaia, Garrett, Good, Hassell, Head, Hillis, Huskey, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Love, May, Miller, Moody, Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wood, Mr. Speaker Murray -- 65.

Representatives voting no were: Byrd, Coffey, Crain, Cross, Curlee, Davis (Gibson), Harrill, Hawkins, Henry, Hobbs, Holcomb, Holt, Hurley, Ivy, Jackson, Lawson, Long, Montgomery, Moore (Lawrence), Nance, Tankersley, Turner, C. (Shelby), Wolfe, Yelton -- 24.

Representatives present and not voting were: Herron, Stafford, Swann -- 3.

A motion to reconsider was tabled.

House Bill No. 2274 -- Alcoholic Beverages -- Increases number of special occasion licenses by charitable, non-profit or political organization in calendar year. Amends TCA 57-4-102.

On motion, House Bill No. 2274 was made to conform with Senate Bill No. 2050.

On motion, **Senate Bill No. 2050**, on same subject, was substituted for House Bill No. 2274.

Rep. Kernell moved passage of Senate Bill No. 2050 on third and final consideration.

Rep. Kernell moved to amend as follows:

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Amendment No. 1

Amend Senate Bill No. 2050 by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

SECTION 2. Tennessee Code Annotated, Section 57-4-102(10)(B)(iii), is further amended by designating the last two (2) sentences of such subpart as Section 57-4-102(10)(C).

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Kernell moved that Senate Bill No. 2050, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	54
Noes	39
Present and not voting	2

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Cain, Chiles, Clark, Collier, Davidson, Davis (Cocke), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Hassell, Head, Herron, Huskey, Jared, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, May, Miller, Moore (Shelby), Naifeh, Peroulas, Phillips, Pruitt, Purcell, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Mr. Speaker Murray -- 54.

Representatives voting no were: Bragg, Byrd, Coffey, Crain, Cross, Curlee, Davis (Gibson), Davis (Knox), Duer, Harrill, Hawkins, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Ivy, Jackson, Lawson, Long, McAfee, Montgomery, Moody, Moore (Lawrence), Nance, Napier, Odom, Rhinehart, Ridgeway, Robinson (Washington), Shirley, Stafford, Tankersley, Turner, C. (Shelby), Whitson, Wolfe, Wood, Yelton -- 39.

Representatives present and not voting were: Good, Swann -- 2.

A motion to reconsider was tabled.

House Bill No. 2146 -- Motor Vehicles -- Extends the margin of error for weight restrictions to certain trucks hauling machinery. Amends TCA 55-11-203.

On motion, House Bill No. 2146 was made to conform with Senate Bill No. 1644.

On motion, **Senate Bill No. 1644**, on same subject, was substituted for House Bill No. 2146.

Rep. Ivy moved passage of Senate Bill No. 1644 on third and final consideration, which motion prevailed by the following vote:

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Ayes.....	92
Noes.....	1
Present and not voting.....	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representative voting no was: Chiles -- 1.

Representatives present and not voting were: Herron, Holcomb, Nance -- 3.

A motion to reconsider was tabled.

House Bill No. 1786 -- Hospitals and Health Care Facilities -- Revises certain provisions relative to licensing of home health care agencies. Amends TCA, Title 68, Ch. 11.

On motion, House Bill No. 1786 was made to conform with Senate Bill No. 1576.

On motion, **Senate Bill No. 1576**, on same subject, was substituted for House Bill No. 1786.

Rep. Burnett moved passage of Senate Bill No. 1576 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington),

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Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **House Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 2050 and have this statement entered in the Journal.

Rep. Stallings

REGULAR CALENDAR, CONTINUED

***House Joint Resolution 0518** -- General Assembly, Studies -- Continues special joint committee created by HJR 43 relative to AFDC, public assistance and other related topics.

Rep. Pruitt moved to adopt House Joint Resolution No. 518.

Rep. DeBerry moved to amend as follows:

Amendment No. 1

Amend House Joint Resolution No. 518 by deleting from the last resolving clause the language "January 20" and substituting instead the language "February 1".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Pruitt moved that House Joint Resolution No. 518, as amended, be adopted, which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

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REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **House Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on **House Bill No. 2342**, **House Bill No. 2346**, **Senate Bill No. 2464** and **Senate Bill No. 2459**, and have this statement entered in the Journal.

Rep. Bill Purcell

REGULAR CALENDAR, CONTINUED

***House Joint Resolution 0567** -- General Assembly, Studies -- Continues study committee created by **HJR 63** to study campaign funding and financing.

Rep. Kisber moved to adopt **House Joint Resolution No. 567**.

Rep. DeBerry moved to amend as follows:

Amendment No. 1

Amend **House Joint Resolution No. 567** by deleting from the fourth resolving clause the word and figure "March 1" and by substituting instead the word and figure "February 1".

On motion, **Amendment No. 1** was adopted.

Thereupon, Rep. Kisber moved that **House Joint Resolution No. 567**, as amended, be adopted, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 2504 -- Education -- Establishes the Resource Valley State Technical Community College. Amends TCA, Title 49, Ch. 8.

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Rep. Miller moved that House Bill No. 2504 be passed on third and final consideration.

Rep. Davidson moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2504 by deleting from Section 2 the words "Resource Valley" and substitute instead the word "Pellissippi".

On motion, Amendment No. 1 was adopted.

Rep. Coffey moved to amend as follows:

Amendment No. 2

Amend House Bill No. 2504 by adding at the end of Section 2 the following:

It is the legislative intent that the board of regents will maintain a permanent presence in Oak Ridge.

On motion, Amendment No. 2 was adopted.

Rep. Coffey moved to amend as follows:

Amendment No. 3

Amend House Bill No. 2504 by adding in Section 6 after the word "funding" the language "by the formula".

Rep. Miller moved that Amendment No. 3 be tabled, which motion prevailed.

Rep. Coffey moved to amend as follows:

Amendment No. 4

Amend House Bill No. 2504 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Effective July 1, 1988, the State Technical Institute in Knoxville established pursuant to Tennessee Code Annotated, Section 49-8-101 and the buildings of the Oak Ridge Branch of the Roane State Community College located on the Pellissippi Parkway in Knox County shall become an institution which shall be known as the "Resource Valley State Technical Community College". The Oak Ridge Branch of the Roane State Community College shall be relocated in the City of Oak Ridge.

AND FURTHER AMEND by deleting from Section 3 the word "institution" and by substituting instead the word "institutions".

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AND FURTHER AMEND by deleting from Section 4 the language "institution is" and by substituting instead the language "institutions are".

AND FURTHER AMEND by inserting in Section 5 between the words "The" and "institution" the word "new".

AND FURTHER AMEND by deleting Section 6 and by substituting instead the following:

The board of regents is authorized to allocate appropriate funding, equipment, and property for the Roane State Community College branch in the City of Oak Ridge and to the new institution.

Rep. Miller moved that Amendment No. 4 be tabled, which motion prevailed.

Thereupon, Rep. Miller moved that House Bill No. 2504, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	2
Present and not voting.	1

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Henry, Stafford -- 2.

Representative present and not voting was: Bewley -- 1.

A motion to reconsider was tabled.

*

***House Joint Resolution 0625** -- General Assembly, Studies -- Continues special joint legislative committee on employment training created by HJR 658 of 94th General Assembly.

Rep. Kernell moved to adopt House Joint Resolution No. 625.

Rep. DeBerry moved to amend as follows:

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Amendment No. 1

Amend House Joint Resolution No. 625 by deleting from the final resolving clause the word and figures "February 15" and by substituting instead the word and figure "February 1".

On motion, Amendment No. 1 was adopted.

Mr. Speaker Murray relinquished the Chair to Rep. Bivens, Speaker pro tem.

Thereupon, Rep. Kernell moved that House Joint Resolution No. 625, as amended, be adopted, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

***House Joint Resolution 0639 -- General Assembly, Studies -- Continues Special Joint Committee on the Need for Aid to the Handicapped initiated by HJR 256.**

Rep. Turner (Hamilton) moved to adopt House Joint Resolution No. 639.

Rep. DeBerry moved to amend as follows:

Amendment No. 1

Amend House Joint Resolution No. 639 by deleting from the last resolving clause the language "March 1" and substituting instead the language "February 1".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Turner (Hamilton) moved that House Joint Resolution No. 639, as amended, be adopted, which motion prevailed by the following vote:

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Ayes.	97
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

***Senate Joint Resolution 0334** -- General Assembly, Studies -- Continues business tax study committee.

Rep. Bragg moved to concur in Senate Joint Resolution No. 334.

Rep. DeBerry moved to amend as follows:

Amendment No. 1

Amend Senate Joint Resolution No. 334 by adding the following language to the last resolving clause "The committee shall submit its report no later than February 1, 1989".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bragg moved that Senate Joint Resolution No. 334, as amended, be concurred in, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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***House Bill No. 0075 -- State Government -- Enacts "Government Reform Act of 1987". Amends TCA Titles 1 thru 70.**

Rep. Wood moved that House Bill No. 75 be passed on third and final consideration.

Rep. Love moved to amend as follows:

Amendment No. 1

Amend House Bill No. 75 by deleting Sections 1, 2 and 3 in their entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 11, Chapter 10, is amended by adding the following as a new section:

(a)An owner of any land, which is subject to a conservation easement, whether said easement contains or does not contain a public use clause, granted to or acquired and held by the state or any agency thereof, or any county or municipality or agency thereof, or an owner of any land, which is subject to a public use easement, granted to or acquired and held by the state or any agency thereof, owes no duty of care to keep that land safe for entry or use by others or to give warning to any person entering or going upon such land of any dangerous or hazardous conditions, uses, structures or activities thereon.

(b)An owner of land which is subject to a conservation easement, whether said easement contains or does not contain a public use clause, granted to or acquired and held by the state or any agency thereof, or any county or municipality or agency thereof, or an owner of land which is subject to a public use easement granted to or acquired and held by the state or any agency thereof, shall not, by granting such easement:

(1)Warrant by implication that the real property included in the easement is safe for any purpose;

(2)Confer upon any person the legal status of an invitee or licensee to whom a duty of care is owed; or

(3)Assume responsibility for or incur liability for any injury to any person or property caused by an act or omission of any person who enters upon the land subject to such easement.

(c)The provisions of this section apply whether the person entering upon the land subject to such easement is an invitee, licensee, trespasser or otherwise.

(d)The provisions of this section shall apply only to counties having a population of not less than two hundred eighty-seven thousand seven hundred (287,700) nor more than two hundred eighty-seven thousand eight hundred (287,800) according to the 1980 federal census of population or any subsequent federal census.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Wood moved that House Bill No. 75, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2106.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1 and 2.

The Speaker appointed a Conference Committee composed of Senators Henry, Dunavant, Rochelle, Atchley, Ford, Hamilton, McKnight, McNally, Moore, Darnell, Cohen, Cooper and Arnold to confer with a like committee from the House to resolve the difference of the two bodies on Senate Bill No. 2106.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CONFERENCE COMMITTEE APPOINTED

Pursuant to House Rule No. 73, Representative Bragg moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 2106, which motion prevailed.

The Speaker appointed Representatives Rhinehart, Ivy, Jared, Naifeh, Chiles, DeBerry, Webb, Hillis, Burnett, Miller, Copeland, Henry and Bragg as the House members of the Conference Committee on Senate Bill No. 2106.

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Rep. Bragg requested to be excused at 3:15 p.m. for Doctors' appointment.

REGULAR CALENDAR, CONTINUED

***House Bill No. 0412 -- Taxes, Litigation -- Imposes litigation taxes on actions in certain courts in certain counties. Amends TCA, Title 67, Ch. 4.**

Rep. Drew moved that House Bill No. 412 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend House Bill No. 412 by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following:

(c) (1) In addition to any other tax which may be imposed by this chapter, there is levied a privilege tax on litigation of three dollars (\$3.00) in all criminal cases instituted in the general sessions court in any county having a population of not less than three hundred nineteen thousand six hundred twenty-five (319,625) nor more than three hundred nineteen thousand seven hundred twenty-five (319,725) according to the 1980 federal census or any subsequent federal census and in all cases instituted in any municipal court in municipalities within such county. Notwithstanding the apportionment provisions of Section 67-4-606, each levy of this tax shall be paid into the office of the county clerk of such county with the proceeds to be credited to a separate reserve account in the county fund. The proceeds shall be disbursed to expand the use of the appropriate law enforcement officers to patrol areas within public housing subdivisions and in localities within such county that traditionally experience greater incidents of crime. The proceeds may also be used by the respective police department to fund Police Cadet Programs conducted by such department in localities within such county that traditionally experience greater incidents of crime.

(2) Five percent (5%) of the proceeds shall be retained by the office of the county court clerk collecting the tax for the purpose of effectuating the provisions of this act.

On motion, Amendment No. 1 was adopted.

Rep. Drew moved to amend as follows:

Amendment No. 2

Amend House Bill No. 412 by adding to the third sentence of Section 1 between the words "only" and "to" the language "to implement a junior cadet program and".

AND FURTHER AMEND by deleting from the third sentence of Section 1 the language "to patrol areas" and by substituting instead the language "for walking patrols".

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AND FURTHER AMEND by deleting from Section 2 the date "July 1, 1987" and by substituting instead the date "July 1, 1988".

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Drew moved that House Bill No. 412, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives present and not voting were: Jones, U. (Shelby), Nance -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to House Rule No. 31, I wish to express a desire to change my original stand from no to aye on House Bill No. 2108 and have this statement entered in the Journal.

Rep. Fred Hobbs

REGULAR CALENDAR, CONTINUED

*House Bill No. 1367 -- General Assembly -- Provides a salary schedule for the majority and minority leaders and the speakers. Amends TCA, Title 3, Ch. 1.

Rep. Burnett moved that House Bill No. 1367 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

Amend House Bill 1367 by inserting in Section 1(b) the words "and the speaker pro tem of the senate and the speaker pro tem of the house of

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representatives" between the words "representatives" and the words "shall receive".

On motion, Amendment No. 1 was adopted.

Rep. Stafford moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1367 by deleting from Section 1 subsection (b) in its entirety and by relettering the subsequent subsection accordingly.

AND FURTHER AMEND by deleting from subsection (c) the language "twice the amount of the salary provided in subsection (b)" and by substituting instead the language "three (3) times the amount of the salary provided in subsection (a)".

Rep. Burnett moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes.....	44
Noes.....	44
Present and not voting.....	1

Representatives voting aye were: Bawley, Bivens, Buck, Burnett, Bushing, Cain, Clark, Collier, Crain, Cross, Davidson, Davis (Cocke), DePriest, Dixon, Ellis, Garrett, Herron, Hillis, Huskey, Ivy, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, Moore (Lawrence), Odom, Phillips, Pruitt, Purcell, Rhinehart, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix -- 44.

Representatives voting no were: Bell, Byrd, Coffey, Copeland, Curlee, Davis (Gibson), Davis (Knox), Duer, Frensley, Gaia, Good, Harrill, Hassell, Hawkins, Henry, Hobbs, Holcomb, Holt, Hurley, Jackson, Jared, Lawson, McAfee, Miller, Montgomery, Moore (Shelby), Nance, Napier, Peroulas, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Whitson, Wolfe, Wood, Yelton -- 44.

Representative present and not voting was: Robinson (Hamilton) -- 1.

Rep. Stafford renewed his motion to adopt Amendment No. 2.

Rep. Burnett moved the previous question on Amendment No. 2, which motion prevailed.

Thereupon, Rep. Stafford renewed his motion to adopt Amendment No. 2, which motion failed by the following vote:

Ayes.....	43
Noes.....	48

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Representatives voting aye were: Bell, Byrd, Coffey, Copeland, Davis (Gibson), Davis (Knox), Duer, Frensey, Good, Harrill, Hassell, Hawkins, Henry, Hobbs, Holt, Hurley, Jackson, Jared, Lawson, Long, McAfee, Miller, Montgomery, Moore (Shelby), Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Whitson, Williams, Wood, Yelton -- 43.

Representatives voting no were: Bewley, Bivens, Buck, Burnett, Bushing, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), DePriest, Dixon, Drew, Ellis, Gaia, Garrett, Herron, Hillis, Holcomb, Huskey, Ivy, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, May, Moody, Moore (Lawrence), Odom, Phillips, Pruitt, Purcell, Robinson (Hamilton), Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Winningham, Wix, Wolfe -- 48.

Rep. Burnett moved to amend as follows:

Amendment No. 3

Amend House Bill 1367 by deleting from the amendatory language of Section 1, subsection (b) the language "twice the amount of the salary provided in subsection (a)" and by substituting instead the language "the amount paid in subsection (a) plus an amount equal to sixty percent (60%) of the amount of the salary provided in subsection (a)".

AND FURTHER AMEND by deleting from the amendatory language of Section 1, subsection (c) the language "twice the amount of the salary provided in subsection (b)" and by substituting instead the language "three times the amount of the salary provided in subsection (a)".

On motion, Amendment No. 3 was adopted.

Rep. Rhinehart moved the previous question, which motion failed by the following vote:

Ayes.....	52
Noes.....	38
Present and not voting.....	1

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Cain, Clark, Collier, Cross, Curlee, Davidson, Davis (Cocke), DePriest, Dixon, Ellis, Gaia, Garrett, Head, Herron, Hillis, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Long, Love, May, Miller, Moore (Lawrence), Moore (Shelby), Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Shirley, Swann, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Winningham, Wix -- 52.

Representatives voting no were: Byrd, Coffey, Crain, Davis (Gibson), Davis (Knox), Drew, Duer, Frensey, Harrill, Hassell, Hawkins, Henry, Hobbs, Holcomb, Holt, Hurley, Jackson, Kent, Lawson, McAfee, Montgomery, Moody, Nance, Peroulas,

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Scruggs, Severance, Stafford, Stallings, Tankersley, Tanner, Turner, C. (Shelby),
Ussery, Webb, Whitson, Williams, Wolfe, Wood, Yelton -- 38.

Representative present and not voting was: Good -- 1.

Rep. Stafford moved to amend as follows:

Amendment No. 4

Amend House Bill No. 1367 by deleting from Section 1 subsection (b) in
its entirety and by relettering the subsequent subsection accordingly.

AND FURTHER AMEND by deleting from subsection (c) the language
"equal to twice the amount of the salary provided in subsection (b)" and by
substituting instead the language "of thirty-eight thousand dollars (\$38,000)."

Rep. Burnett moved that Amendment No. 4 be tabled, which motion failed by
the following vote:

Ayes.....	37
Noes.....	47
Present and not voting.....	3

Representatives voting aye were: Bewley, Bivens, Buck, Burnett, Bushing,
Cain, Clark, Collier, Crain, Cross, Davidson, DePriest, Dixon, Ellis, Gaia, Garrett,
Herron, Hillis, Jones, R. (Shelby), Kernell, King, Kisber, Long, Love, Moore
(Lawrence), Odom, Phillips, Pruitt, Purcell, Robinson (Davidson), Turner (Hamilton),
Turner, L. (Shelby), Ussery, Webb, West, Winningham, Wix -- 37.

Representatives voting no were: Bell, Byrd, Coffey, Copeland, Curlee, Davis
(Gibson), Davis (Knox), Duer, Frensley, Good, Harrill, Hassell, Hawkins, Henry,
Hobbs, Holcomb, Holt, Hurley, Ivy, Jackson, Jared, Kent, Lawson, May, McAfee,
Miller, Montgomery, Moore (Shelby), Nance, Napier, Peroulas, Ridgeway, Robinson
(Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley,
Tanner, Turner, C. (Shelby), Whitson, Williams, Wolfe, Wood, Yelton -- 47.

Representatives present and not voting were: Head, Rhinehart, Robinson
(Hamilton) -- 3.

Thereupon, Rep. Stafford renewed his motion to adopt Amendment No. 4,
which motion failed by the following vote:

Ayes.....	45
Noes.....	45
Present and not voting.....	1

Representatives voting aye were: Bell, Byrd, Coffey, Copeland, Curlee, Davis
(Gibson), Davis (Knox), Duer, Frensley, Good, Harrill, Hassell, Hawkins, Henry,
Hobbs, Holcomb, Holt, Hurley, Ivy, Jackson, Jared, Kent, Lawson, McAfee, Miller,

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Montgomery, Moore (Shelby), Nance, Napier, Peroulas, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Whitson, Wolfe, Wood, Yelton -- 45.

Representatives voting no were: Bewley, Bivens, Buck, Burnett, Bushing, Cain, Clark, Collier, Crain, Cross, Davidson, Davis (Cocke), DePriest, Dixon, Ellis, Gaia, Garrett, Herron, Hillis, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Long, Love, May, Moore (Lawrence), Odom, Phillips, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix -- 45.

Representative present and not voting was: Head -- 1.

Rep. Burnett moved the previous question, on House Bill No. 1367 which motion failed by the following vote:

Ayes.....	43
Noes.....	45

Representatives voting aye were: Bivens, Buck, Burnett, Bushing, Cain, Clark, Collier, Cross, Curlee, Davidson, DePriest, Dixon, Ellis, Gaia, Garrett, Head, Herron, Hillis, Huskey, Ivy, Jared, Jones, R. (Shelby); Jones, U. (Shelby), Kernell, King, Kisber, Love, Moore (Lawrence), Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Turner (Hamilton), Turner, L. (Shelby); Ussery, West, Wheeler, Winningham, Wix -- 43.

Representatives voting no were: Bell, Bewley, Byrd, Coffey, Copeland, Crain, Davis (Gibson), Davis (Knox), Duer, Frensley, Harrill, Hassell, Hawkins, Hobbs, Holcomb, Holt, Hurley, Jackson, Kent, Lawson, Long, May, McAfee, Miller, Montgomery, Moore (Shelby), Nance, Napier, Peroulas, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Webb, Whitson, Williams, Wolfe, Wood, Yelton -- 45.

Rep. Henry moved to amend as follows:

Amendment No. 5

Amend House Bill No. 1367 by deleting from Section 1 subsection (b) in its entirety and by relettering the subsequent subsection accordingly.

AND FURTHER AMEND by deleting from subsection (c) the language "equal to twice the amount of the salary provided in subsection (b)" and by substituting instead the language "of thirty-nine thousand dollars (\$39,000)."

Rep. Burnett moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes.....	46
Noes.....	44

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Cain, Clark, Collier, Crain, Cross, Davidson, DePriest, Dixon, Ellis, Gaia, Garrett,

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Head, Herron, Hillis, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Long, Love, Moore (Lawrence), Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix -- 46.

Representatives voting no were: Byrd, Coffey, Copeland, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Frensley, Good, Harrill, Hassell, Hawkins, Henry, Hobbs, Holcomb, Holt, Hurley, Huskey, Jackson, Kent, Lawson, May, McAfee, Miller, Montgomery, Moore (Shelby), Nance, Napier, Peroulas, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Whitson, Wolfe, Wood, Yelton -- 44.

Rep. Burnett moved the previous question, which motion failed by the following vote:

Ayes.	54
Noes.	32
Present and not voting.	1

Representatives voting aye were: Bewley, Bivens, Burnett, Bushing, Byrd, Cain, Clark, Collier, Cross, Curlee, Davidson, Davis (Knox), DePriest, Dixon, Ellis, Gaia, Garrett, Hassell, Head, Herron, Hillis, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, May, Miller, Moore (Lawrence), Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Shirley, Tankersley, Turner (Hamilton), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood -- 54.

Representatives voting no were: Bell, Coffey, Crain, Davis (Gibson), Duer, Frensley, Harrill, Hawkins, Henry, Hobbs, Holcomb, Holt, Hurley, Jackson, Kent, Lawson, Long, McAfee, Montgomery, Moore (Shelby), Nance, Peroulas, Scruggs, Severance, Stafford, Stallings, Swann, Tanner, Turner, C. (Shelby), Webb, Wolfe, Yelton -- 32.

Representative present and not voting was: Good -- 1.

Thereupon, Rep. Burnett moved that House Bill No. 1367, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	50
Noes.	41
Present and not voting.	1

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Cain, Clark, Collier, Crain, Cross, Davidson, Davis (Gibson), DePriest, Dixon, Ellis, Garrett, Herron, Hillis, Holt, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, Moore (Lawrence), Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix -- 50.

Representatives voting no were: Byrd, Coffey, Copeland, Curlee, Davis (Cocke), Davis (Knox), Duer, Frensley, Gaia, Good, Harrill, Hassell, Hawkins, Henry, Hobbs, Holcomb, Hurley, Huskey, Lawson, McAfee, Miller, Montgomery, Moody,

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Moore (Shelby), Nance, Napier, Peroulas, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Whitson, Wolfe, Wood, Yelton -- 41.

Representative present and not voting was: Head -- 1.

A motion to reconsider was tabled.

House Bill No. 1463 -- Insurance, Health, Accident -- Enacts "Tennessee Life and Health Insurance Guaranty Association Act". Amends TCA, Title 4, Ch. 29.

Rep. Burnett moved that House Bill No. 1463 be passed on third and final consideration.

Rep. Tanner moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1463 by deleting the word "from" following the language in "Section 3(b)," in subsection (a) of Section 2, and by substituting instead the words "because of".

AND FURTHER AMEND by inserting the language "issued by member insurers" between the word "contracts" and the comma in subsection (b)(1) in Section 3.

AND FURTHER AMEND by inserting the language ", premium refunds," in subsection (b)(2)(E) of Section 3 between the word "dividends" and the words "or experience rating", and by deleting the word "and" following the semicolon at the end of such subitem.

AND FURTHER AMEND by inserting the word "and" following the semicolon at the end of subsection (b)(2)(F) of Section 3 and by inserting the following new subitem:

"(G) any unallocated annuity contract except unallocated annuity contracts and defined contribution government plans qualified under Section 403(b) of the United States Internal Revenue Code."

AND FURTHER AMEND by deleting the words "expend more the" from the last sentence of subsection (c) of Section 3, and by substituting instead the words "expend more than".

AND FURTHER AMEND by adding the following language as a new subsection to Section (3):

(d) The liability of the association is strictly limited by the express terms of such covered policies and contracts and by the provisions of this act and is not affected by the contents of any brochures, illustrations, advertisements, or oral statements by agents, brokers, or others used or made in connection with their sale. The association is not liable for any extracontractual, exemplary or punitive damages, attorney's fees or interest other than as provided for in the terms of such policies or contracts, as limited by this act.

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AND FURTHER AMEND by deleting the language "three (3)" in subsection (1) of Section 4 and substituting instead the language "four (4)".

AND FURTHER AMEND by deleting the word "conversation" from the definition of "Impaired insurer" in Section 4(6), and by substituting instead the word "conservation".

AND FURTHER AMEND by deleting the words "policies on contracts" from the second sentence of Section 4(11) and by substituting instead the words "policies or contracts"; and by deleting the word "ascessible" from such sentence, and by substituting instead the word "assessable".

AND FURTHER AMEND by adding a new definition to Section 4 to be designated as item (14):

(14) "Unallocated annuity contract" means any annuity contract or group annuity certificate which is not issued to and owned by an individual, except to the extent of any annuity benefits guaranteed to an individual by an insurer under such contract or certificate.

AND FURTHER AMEND by deleting from the last sentence of subsection (a) of Section 5 the language "three (3) accounts" and substituting instead the language "four (4) accounts."

AND FURTHER AMEND by deleting the word "and" at the end of subsection (a)(2) of Section 5 and adding the following language at the end of subsection (a)(3) of Section 5:

excluding unallocated annuity contracts and defined contribution government plans qualified under Section 403(b) of United States Internal Revenue Code; and

AND FURTHER AMEND by adding the following new item to subsection (a) of Section 5:

(4)The defined contribution plan account, meaning defined contribution plans qualified under section 403(b) of the United States Revenue Code.

AND FURTHER AMEND by deleting from subsection (c) of Section 6 the language "not to exceed one hundred dollars (\$100) per day, but members", and substituting instead the language "in accordance with the state of Tennessee travel regulations. Members".

AND FURTHER AMEND by inserting the word "therefor" in subsection (b)(1)(B) of Section 7 between the word "petition" and the word "under".

AND FURTHER AMEND by deleting the first word in subsection (c)(1)(A) of Section 7, and by substituting instead the word "guarantee".

AND FURTHER AMEND by deleting from subsection (a)(1) of Section 9 the language "unless he has not disapproved it within thirty (30) days.", and by substituting instead the language "within thirty (30) days if he has not disapproved it during such thirty (30) day period."

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SECTION 21. This act shall not apply to any insurer which is insolvent or unable to fulfill its contractual obligations on the effective date of this act.

AND FURTHER AMEND by adding a new Section 22 as follows:

SECTION 22. This act shall take effect on July 1, 1989, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Burnett moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1463 by inserting the word "or" before the word "income" in the sixteenth line on page four, the third line on page 5, and the eighth line on page 5.

AND FURTHER AMEND by deleting the words "or privilege" in the sixteenth line on page 4, the third line on page 5 and the eighth line on page 5.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Burnett moved that House Bill No. 1463, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kieber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 94.

A motion to reconsider was tabled.

House Bill No. 1503 -- Taxes, Sales -- Exempts motorboats from sales tax if taken out of state. Amends TCA, Title 67, Ch. 6.

Rep. Rhinehart moved that House Bill No. 1503 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes.....	63
Noes.....	20
Present and not voting.....	4

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Frensley, Gaia, Harrill, Hassell, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Montgomery, Moore (Lawrence), Moore (Shelby), Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham -- 63.

Representatives voting no were: Davis (Knox), Duer, Henry, Holcomb, Lawson, Long, McAfee, Miller, Moody, Nance, Peroulas, Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Wolfe, Wood, Yelton -- 20.

Representatives present and not voting were: Clark, Good, Herron, Whitson -- 4.

A motion to reconsider was tabled.

House Bill No. 1705 -- Insurance, Health, Accident -- Establishes procedure for selling assessment to comprehensive health insurance pool. Amends TCA, Title 56, Ch. 39.

Rep. Kernell moved that House Bill No. 1705 be passed on third and final consideration.

Rep. West moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1705 by deleting Sections 1 and 2 in their entirety and substituting instead the following new Sections 1 and 2:

Section 1. Tennessee Code Annotated, Section 56-39-109, in subsection (b)(3), is amended by deleting the words and figures "two million dollars (\$2,000,000)" wherever they appear and substituting instead the words and figures "three million dollars (\$3,000,000)".

Section 2. The increase in state funds provided in Section 1 of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to Section 1 unless such funds are specifically appropriated by the general appropriations act.

AND FURTHER AMEND by adding the following new section immediately preceding the next to the last section and by renumbering the subsequent sections accordingly:

Section __. Tennessee Code Annotated, Section 56-39-103(6), is amended by inserting the words "long term care insurance" between the words "fixed indemnity" and "disability income contracts" in the fourth sentence of the subsection.

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AND FURTHER AMEND by inserting the following new section immediately before the severability clause section and numbering the sections accordingly:

Section () Tennessee Code Annotated, Section 56-39-110, is amended in subsection (a) by deleting the words "is a resident of this state" and substituting instead the following words:

has been a resident of this state for one (1) year.

On motion, Amendment No. 1 was adopted.

Rep. Kernell moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1705 by deleting from the directory language of Section 1 added by House Commerce Committee Amendment 1 the letter and number "(b)(3)" and substituting instead the letter and number "(c)(3)".

AND FURTHER AMEND by deleting from the directory language of the first new section added by House Commerce Committee Amendment 1 the word "fourth" and substituting instead the word "second".

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Kernell moved that House Bill No. 1705, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 92.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **House Rule No. 31**, I wish to express a desire to change my original stand from aye to no on House Bill No. 1503 and have this statement entered in the Journal.

Rep. Ben West, Jr.

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REGULAR CALENDAR, CONTINUED

***House Bill No. 2193** -- Campaigns -- Revises financial disclosure reporting requirements; grants enforcement authority to secretary of state. Amends TCA, Title 2; Title 3, Ch. 6; Title 8, Ch. 50, Pt. 5.

Rep. Kisber moved that House Bill No. 2193 be reset on the calendar for Thursday, April 28, 1988, which motion prevailed.

House Bill No. 0945 -- Taxes, Gross Receipts -- Exempts telephone service resellers from certain taxes. Amends TCA, Title 67, Ch. 4.

Rep. Clark moved that House Bill No. 945 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

Amend House Bill No. 945 by deleting the language following the enacting clause in its entirety and substituting instead the following new language:

SECTION 1. Tennessee Code Annotated, Section 67-4-301, is amended in subsection (a) by adding a period after the word "utilities" and deleting the remainder of the sentence which reads as follows:

"which are regulated by the public service commission."

SECTION 2. This act shall take effect on July 1, 1988, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Clark moved that House Bill No. 0945, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frenslley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner,

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L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 95.

Representative present and not voting was: Coffey -- 1.

A motion to reconsider was tabled.

Rep. Bivens relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

***House Bill No. 0067 -- Child Abuse --** Requires specific rules and regulations for keeping records and performing investigations in child abuse and child sexual abuse cases. Amends TCA, Title 37, Ch. 1, Pts. 4, 6.

Rep. Love moved that House Bill No. 67 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend House Bill No. 67 by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-408, is amended by deleting said section in its entirety and substituting instead the following:

(a) The Tennessee bureau of investigation shall establish and maintain a registry to screen child care providers as set forth herein. The registry shall consist of (1) any persons alleged or adjudicated to have committed sexual abuse against a child as defined in Tennessee Code Annotated, Section 37-1-602, and (2) any persons who have alleged or who have been adjudicated to have committed an act against a child which would constitute severe child abuse. Severe child abuse shall be defined for this purpose as those acts committed against a child as set forth in Tennessee Code Annotated, Section 37-1-602, or Tennessee Code Annotated, Sections 39-2-101, 39-2-103, 39-2-201, 39-2-202, 39-2-211, 39-2-221, 39-2-301, and 39-4-422. The registry shall identify by name and by fingerprints those persons who (a) have been adjudicated guilty for or pled guilty to and (b) have been bound over to the grand jury following a preliminary hearing by a judge or have been indicted by a grand jury following allegations of, any act as set forth in (1) or (2) above. (b) Upon receiving the appropriate form from the department of human services, the bureau shall search the registry for the purpose of verifying the existence of the applicant's name within the registry for:

(1) any person applying for the adoption of a child or of any person prior to the placement of a child in a foster home; or

(2) any person applying to work with children as a volunteer or as a paid employee for a child welfare agency as defined in Tennessee Code Annotated, Section 71-3-501 or in any institutional or residential child care facility.

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The bureau shall advise the department of any positive match and the department shall advise the child welfare agency or the institutional or residential child care facility accordingly.

(c) The department shall forward the appropriate form it receives pursuant to Tennessee Code Annotated, Section 71-3-529 to the Tennessee bureau of investigation to verify the accuracy of the information as contained on the bureau's registry under subsection (a) and (b) above.

AND FURTHER AMEND by deleting Section 2 in its entirety and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 37-1-406(a), is amended by deleting in their entirety the second, third, and fourth sentences and by substituting instead the following: "The county office shall make a thorough investigation promptly after receiving either an oral or written report of harm."

AND FURTHER AMEND by adding the following as Section 3:

SECTION 3. Tennessee Code Annotated, Section 37-1-409, is amended by adding the following language as new subsections (e) and (f):

(e) The department may confirm whether a child abuse or neglect investigation has been commenced, but may not divulge, except as permitted under this part, any details about the case, including, but not limited to, the name of the reporter, the alleged victim, or the alleged perpetrator.

(f) The department of human services shall adopt such rules as may be necessary to carry out the following purposes:

The establishment of administrative and due process procedures for the disclosure of the contents of its files and the results of its investigations for the purpose of protecting children from child sexual abuse, physical abuse, emotional abuse, or neglect, and for other purposes directly connected with the administration of this chapter, including, but not limited to, cooperation with schools, child welfare agencies, residential and institutional child care providers, child protection agencies, individuals providing care or protection for the child, medical and mental health personnel providing care for the child and the child's family and the perpetrator of any form of child abuse or neglect, law enforcement agencies, the judicial and correctional systems, and for cooperation with scientific and governmental research on child abuse and neglect.

AND FURTHER AMEND by adding the following as Section 4:

SECTION 4. Tennessee Code Annotated, Section 37-1-401, is amended by deleting subsections (4) and (5) in their entirety.

AND FURTHER AMEND by adding the following as Section 5:

SECTION 5. This act shall take effect on July 1, 1988, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

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Rep. Buck moved to amend as follows:

Amendment No. 2

Amend House Bill No. 67 by adding at the end of Section 1(a), as amended, the following language:

When a defendant is found not guilty of severe child abuse or child sexual abuse his name shall be expunged from the record.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Love moved that House Bill No. 67, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 96.

A motion to reconsider was tabled.

House Bill No. 2189 -- Criminal Offenses -- Revises certain provisions relative to child abuse and child sexual abuse.

On motion, House Bill No. 2189 was made to conform with Senate Bill No. 2269.

On motion, **Senate Bill No. 2269**, on same subject, was substituted for House Bill No. 2189.

Rep. Love moved passage of Senate Bill 2269 on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2269 by deleting Section 10 in its entirety and substituting instead the following:

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SECTION 10. Tennessee Code Annotated, Section 37-1-612, is amended by deleting subsections (e) and (f) in their entirety and substituting the following language as new subsections (e) and (f):

(e) The department may confirm whether a child sexual abuse investigation has been commenced, but may not divulge, except as permitted under this part, any details about the case, including, but not limited to, the name of the reporter, the alleged victim, or the alleged perpetrator.

(f) The department of human services shall adopt such rules as may be necessary to carry out the following purposes:

The establishment of administrative and due process procedures for the disclosure of the contents of its files and the results of its investigations for the purpose of protecting children from child sexual abuse, and for other purposes directly connected with the administration of this chapter, including, but not limited to, cooperation with schools, child welfare agencies, residential and institutional child care providers, child protection agencies, individuals providing care or protection for the child, medical and mental health personnel providing care for the child and the child's family and the perpetrator of any form of child abuse or neglect, law enforcement agencies, the judicial and correctional systems, and for cooperation with scientific and governmental research on child abuse and neglect.

AND FURTHER AMEND by deleting Section 11 in its entirety and substituting instead the following:

SECTION 11. Tennessee Code Annotated, Section 37-1-609(b) is amended by deleting the period (.) at the end of the subsection and by adding the following language:

at which point such records shall be available to the members of the term. All state, county, and local agencies shall give the team or the department access to records in their custody and shall otherwise cooperate fully with the investigation.

AND FURTHER AMEND by deleting Section 12 in its entirety and substituting instead the following:

SECTION 12. Tennessee Code Annotated, Section 37-1-602 is amended by deleting subdivisions (6) and (10) of subsection (a) in their entirety and by renumbering the remaining subdivisions of subsection (a) appropriately.

AND FURTHER AMEND by deleting Section 13 in its entirety and substituting instead the following:

SECTION 13. Tennessee Code Annotated, Section 37-1-603(b)(1)(A) is amended by deleting the words "and convicted perpetrators" from the fourth sentence of Section (b)(1)(A).

AND FURTHER AMEND by deleting Section 14 in its entirety and substituting instead the following:

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SECTION 14. Tennessee Code Annotated, Section 37-1-605(d) is deleted in its entirety.

AND FURTHER AMEND by deleting Section 15 in its entirety and substituting instead the following:

SECTION 15. Tennessee Code Annotated, Section 37-1-606 is amended by deleting subdivisions (2) - (4) of subsection (a) in their entireties and redesignating the remaining subdivision as appropriate.

AND FURTHER AMEND by deleting Section 16 in its entirety and substituting instead the following:

SECTION 16. Tennessee Code Annotated, Section 37-1-606, is amended by deleting the last sentence of subsection (c) and substituting the following language:

Provided, if the department validates child sexual abuse in such institution or revokes or suspends the license of a child welfare agency as a result of child sexual abuse occurring in the agency, the department, in accordance with administrative and due process rules, shall notify the parents of said children accordingly.

AND FURTHER AMEND by deleting Section 17 of its entirety and substituting instead the following:

SECTION 17. Tennessee Code Annotated, Section 37-1-606 is further amended by deleting subsection (b) in its entirety and redesignating subsection (c) as subsection (b).

AND FURTHER AMEND by deleting Section 18 in its entirety and substituting instead the following:

SECTION 18. Tennessee Code Annotated, Section 37-1-607 is amended by deleting the second sentence of subsection (b)(1) in its entirety.

AND FURTHER AMEND by adding a new section as Section 19 as follows:

SECTION 19. Tennessee Code Annotated, Section 37-1-607, is amended by deleting the words "has been classified as indicated" from the first complete sentence of Section (c)(1)(D) and from the first sentence of Section (c)(1)(F) and substituting the words "has been validated by the department" each time.

AND FURTHER AMEND by adding a new section as Section 20 as follows:

SECTION 20. Tennessee Code Annotated, Section 37-1-607, is further amended by adding to subsection (b) an additional subdivision designated as follows:

(5) As a result of its investigation, the team may recommend that criminal charges be filed against the alleged offender. Any interested person who has information regarding the offenses described in this subsection may forward a statement to the district attorney as to

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whether prosecution is warranted and appropriate. Within fifteen (15) days of the completion of his investigation, the district attorney shall advise the department and the team whether or not prosecution is justified and appropriate in his opinion in view of the circumstances of the specific case.

AND FURTHER AMEND by adding a new section as Section 21 to read as follows:

SECTION 21. This act shall take effect on July 1, 1988, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Burnett moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 2269 by deleting all language added by Senate Amendment Number 1.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Love moved that Senate Bill No. 2269, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Resolution No. 0148 -- Memorials, Public Service -- Honors Knoxville Area Urban League and William L. Holland for contributions to Knoxville.

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House Resolution No. 0149 -- Memorials, Sports -- Honors Coach David Collie, Jr. and East Robertson High School boys' basketball team on winning TSSAA Class A state championship.

House Resolution No. 0150 -- Memorials, Recognition and Thanks -- Honors Vandana Malhotra, 1988 legislative intern.

House Resolution No. 0151 -- Memorials, Professional Achievement -- Honors Professor J. Otis Cochran for contributions to UT School of Law.

House Resolution No. 0153 -- Memorials, Professional Achievement -- Honors Dr. R. Eugene Smith on election as president of NACUBO.

House Resolution No. 0154 -- Memorials, Recognition and Thanks -- Honors Nadine Miehle L. Gill, 1988 legislative intern.

House Resolution No. 0155 -- Memorials, Public Service -- Honors downtown Kiwanis Club of Knoxville for observing Canada Week.

House Resolution No. 0156 -- Memorials, Personal Achievement -- Honors Tanisha Fitzgerald, valedictorian of Austin-East High School.

House Resolution No. 0157 -- Memorials, Public Service -- Honors Alpha Phi Alpha fraternity on teenage pregnancy workshop.

House Joint Resolution 0688 -- General Assembly, Proclamations -- Proclaims May 1988 as "Speech and Hearing Month".

House Joint Resolution 0782 -- Memorials, Condolence -- Honors memory of Dr. Robert O. Glenn of Mountain City.

House Joint Resolution 0783 -- Memorials, Recognition and Thanks -- Expresses appreciation to Saturn Corporation and CSX Corporation for providing rail excursion to Saturn plant site.

House Joint Resolution 0784 -- Memorials, Retirement -- Honors Carmen Hatchett on retirement as superintendent of elementary education in Memphis.

House Joint Resolution 0786 -- Memorials, Recognition and Thanks -- Honors Brenda L. Smith, 1988 legislative intern.

House Joint Resolution 0787 -- Memorials, Professional Achievement -- Honors Brenda Buford Shaw on operation of her studio of music.

House Joint Resolution 0788 -- Memorials, Public Service -- Honors Ernest and Omsby Hammons for contributions to field of geology.

House Joint Resolution 0789 -- Memorials, Public Service -- Commends the Tennessee "Just Say No Team" adult volunteers.

House Joint Resolution 0792 -- Memorials, Sports -- Honors Coach Bill Satterfield and Greenback High School football team, winners of Clinic Bowl.

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House Joint Resolution 0794 -- Memorials, Personal Achievement -- Honors Dr. Ted Callicott for service as Grand Exalted Ruler of Benevolent and Protective Order of Elks.

House Joint Resolution 0795 -- Memorials, Professional Achievement -- Honors Patricia Higdon, mayor of Halls.

House Joint Resolution 0796 -- Memorials, Recognition and Thanks -- Commends Diana Riskevics, 1988 legislative intern.

House Joint Resolution 0797 -- Memorials, Recognition and Thanks -- Commends Shelly R. Ruth, 1988 legislative intern.

House Joint Resolution 0798 -- Memorials, Recognition and Thanks -- Honors Robin Renea Light, 1988 legislative intern.

House Joint Resolution 0799 -- Memorials, Public Service -- Honors Welcome Wagon on sixtieth anniversary of community service.

House Joint Resolution 0800 -- Memorials, Public Service -- Honors Hazel Blankenship Albert on service to Department of Employment Security.

The Sponsor requested that all House members be added as sponsors.

House Joint Resolution 0801 -- Memorials, Recognition and Thanks -- Recognizes Jennifer Daggett, 1988 legislative intern.

House Joint Resolution 0804 -- Memorials, Public Service -- Honors Reverend Thomas O'Neal Crivens, Sr. for community service and Operation STEP.

House Joint Resolution 0805 -- Memorials, Congratulations -- Recognizes the UTC-Chattanooga singers for success they have enjoyed as choral singers throughout the world.

House Joint Resolution 0806 -- Memorials, Recognition and Thanks -- Honors Kenneth C. Sain, 1988 legislative intern.

House Joint Resolution 0807 -- Memorials, Public Service -- Congratulates Joyce A. Jones, finalist for Kingsport Jaycee's Woman of the Year.

House Joint Resolution 0808 -- Memorials, Sports -- Honors the Father Ryan High School wrestling team on winning the state championship.

House Joint Resolution 0810 -- Memorials, Professional Achievement -- Recognizes William R. Snodgrass on receipt of Financial Management Improvement Award.

House Joint Resolution 0811 -- Memorials, Recognition and Thanks -- Recognizes Mark Funkhouser for service to state.

House Joint Resolution 0812 -- Memorials, Recognition and Thanks -- Honors Dena Laurent, 1988 legislative intern.

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House Joint Resolution 0813 -- Memorials, Professional Achievement -- Honors George Crabb for contributions to field of auto theft investigation.

House Bill No. 1242 -- Lewis County -- Levies litigation tax for courthouse maintenance and improvements.

House Bill No. 2471 -- Blount County -- Changes basis for requirement for application for certificates of appropriateness when there is expansion, alteration or renovation of structures, facilities or land use. Amends Chapter 180, Private Acts of 1986.

House Bill No. 2499 -- Kingston -- Changes date of election of mayor and city councilmen. Amends Chapter 298, Private Acts of 1972. Repeals Chapter 77, Private Acts of 1987.

On motion, House Bill No. 2499 was made to conform with Senate Bill No. 2524.

On motion, **Senate Bill 2524**, on same subject, was substituted for House Bill No. 2499.

***House Bill No. 2512** -- Winchester -- Provides hotel/motel tax.

***House Bill No. 2513** -- Franklin County -- Provides for hotel/motel tax.

House Bill No. 2516 -- Byrdstown -- Increases salaries of certain officials. Amends Chapter 815, Private Acts of 1917, as amended.

House Bill No. 2517 -- Hardeman County -- Levies hotel/motel tax.

House Bill No. 2518 -- Jackson -- Provides for optional payment of retirement benefits for street workers. Amends Chapter 870, Private Acts of 1949, as amended.

House Bill No. 2519 -- Jackson -- Provides for optional payment for retirement benefits for police and firemen. Amends Chapter 150, Private Acts of 1943, as amended.

House Bill No. 2520 -- Anderson County -- Provides for election of new school board in 1990 election. Repeals Chapter 272, Private Acts of 1978.

House Bill No. 2521 -- Pickett County -- Regulates solid waste, hazardous or toxic waste landfills.

House Bill No. 2522 -- School Districts -- Revises tax rate in Franklin Special School District. Amends Chapter 563, Private Acts of 1949, as amended.

House Bill No. 2523 -- Franklin -- Changes certain city officials terms of office. Amends Chapter 79, Acts of 1903, as amended.

House Bill No. 2525 -- Blount County -- Authorizes improvements by special assessment.

House Bill No. 2527 -- School Districts -- Sets property tax rate for Trenton Special School District. Amends Chapter 144, Private Acts of 1975, as amended.

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Senate Joint Resolution 0468 -- Memorials, Sports -- Honors Science Hill High School boys' basketball team on reaching TSSAA tournament.

Senate Joint Resolution 0470 -- Memorials, Sports -- Honors Loudon County High School basketball team for outstanding season.

Senate Joint Resolution 0471 -- Memorials, Recognition and Thanks -- Commends Alex R. Fischer, 1988 UT legislative intern.

Senate Joint Resolution 0495 -- Memorials, Retirement -- Honors John Richardson Rucker on his retirement from the Tennessee Senate.

OBJECTION -- CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Bill No. 1242 was objected to by Rep. Moore (Lawrence).

House Bill No. 2527 was objected to by Rep. Davis (Gibson).

Under the rules, House Bills Nos. 1242 and 2527 were placed at the foot of the calendar for Thursday, April 28, 1988.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

*Senate Bill No. 0583 -- Occupational Licenses and Licensing Boards -- Revises various provisions of real estate broker licensure law. Amends TCA, Title 62, Ch. 13.

Rep. West moved to lift from the table the motion to reconsider Senate Bill No. 583.

Rep. West move to reconsider our action in passing Senate Bill No. 583.

Rep. West moved to reconsider our action in adopting Amendment No. 3, which motion prevailed, and further moved to withdraw Amendment No. 3, which motion prevailed.

Thereupon, Rep. West moved to repass Senate Bill No. 583, as amended, which motion prevailed by the following vote:

Ayes.	91
Noes.	3

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frenley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton -- 91.

Representatives voting no were: Scruggs, Shirley, Wolfe -- 3.

A motion to reconsider was tabled.

REPORT OF THE CONFERENCE COMMITTEE ON
HOUSE BILL NO. 616

House Bill No. 0616 -- Insurance, Health, Accident -- Provides insurance benefits for audiologists and speech pathologists. Amends TCA, Title 56, Ch. 7.

The House and Senate Conference Committees, appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 900 / House Bill No. 616, have met and recommended that:

House Amendment No. 2 be adopted:

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House Amendment No. 3 be deleted:

House Amendment No. 4 be adopted:

House Amendment No. 5 be deleted:

Senate Amendment No. 2 be adopted:

Senate Amendment No. 3 be adopted:

Senate Amendment No. 4 be deleted; and

Senate Amendment No. 5 be deleted;

It is further recommended that in Section 1, as amended, the date "June 30, 1987" be deleted and substitute instead the date "January 1, 1989".

It is further recommended that the original Section 2 be deleted and substitute instead the following:

SECTION 2. This act shall take effect on July 1, 1988, the public welfare requiring it.

Respectfully submitted this the 26th day of April, 1988.

FOR THE SENATE:

William S. Owen
Lou Patten
Douglas Henry, Jr.

FOR THE HOUSE:

Tom Wheeler
J.B. Napier
Ben West, Jr.

Rep. Wheeler moved that the Conference Committee Report on House Bill No. 616 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harriil, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 96.

A motion to reconsider was tabled.

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CONFERENCE COMMITTEE APPOINTED

***Senate Bill No. 1362 -- Criminal Offenses --** Adds factor of age of elderly victims as element of aggravated rape; increases penalty for such offenses. Amends TCA 39-2-6003.

Pursuant to **House Rule No. 73**, Representative Kisber moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 1362, which motion prevailed.

The Speaker appointed Representatives Kisber, Clark and Tankersley, as the House members of the Conference Committee on Senate Bill No. 1362.

CONFERENCE COMMITTEE APPOINTED

House Bill No. 1551 -- Drivers' Licenses -- Prohibits oral driver's license examinations for certain persons. Amends TCA 55-7-107.

Rep. Long moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 1, which motion prevailed.

Pursuant to **Rule No. 73**, Representative Long moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 1551, which motion prevailed.

The Speaker appointed Representatives Long, Coffey and Burnett, as the House members of the Conference committee on House Bill No. 1551.

REQUEST TO CHANGE VOTE

MR SPEAKER: Pursuant to **House Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on the Consent Calendar and have this statement entered in the Journal.

Rep. Bill Purcell

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1604 -- Sunset Laws -- Extends termination date of Tennessee Children's Services Commission. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 3; Title 37, Chs. 1--3; Title 41, Ch. 5.

Senate Amendment No. 5

Amend House Bill No. 1604 by deleting from Section 2, 37-3-104(a)(4), the language which reads:

"Provided, however, if a new, separate or reorganized department, office or agency, is established to administer the duties of the present division of youth services in the department of correction, the duties in this subsection

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and the duties and authority provided by Tennessee Code Annotated, Section 37-1-161, may be transferred by executive order of the governor to such new, separate or reorganized entity."

AND FURTHER AMEND by adding the following language to the end of Section 2, 37-3-103(a)(4):

Provided, however, if a new, separate or reorganized department, office or agency is established to administer the duties of youth services in the department of correction, the duties in this subsection and the duties and authority provided by Tennessee Code Annotated, Section 37-1-161, 37-1-162, and any funds allocated to the Tennessee commission on children and youth for distribution, may be transferred by executive order of the governor to such new, separate or reorganized entity.

Rep. King moved that the House concur in Senate Amendment No. 5, which motion prevailed by the following vote:

Ayes.	91
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton -- 91.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1638.

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendments Nos. 15 and 16, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS, CONTINUED

*House Bill No. 1638 -- Gas, Petroleum Products, Volatile Oils -- Prohibits below cost gasoline sales by dealer and creates penalties. Amends TCA, Title 47, Ch. 25, Pt. 6.

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Senate Amendment No. 3

Amend House Bill No. 1638 by inserting the following language as a new section immediately preceding Section 5 and by appropriately renumbering subsequent sections:

Section ____ Nothing in this act shall prohibit a dealer from making, or offering or advertising to make sales at retail which are made in good faith to compete with the equally low or lower retail price of a competitor.

Senate Amendment No. 1 to Amendment No. 3

Amend House Bill No. 1638 by adding the following sentence to the amendatory language of amendment #3:

Provided, however, such sales at retail under this provision by a vertically integrated producer shall be made in accordance with Section 4(c) of this act.

Senate Amendment No. 10

Amend House Bill No. 1638 by striking the language in subsection (c) and (d) to Section 4 in its entirety and substituting in lieu thereof:

(c) No vertically integrated producer may sell or transfer a petroleum product to its own retail outlet at a price which is less than the price at which that petroleum product is offered for sale by the vertically integrated producer to a dealer operating in the same class of trade and within the same competitive area as the retail outlet of the vertically integrated producer. The remaining subsections shall be renumbered accordingly.

Senate Amendment No. 1 to Amendment No. 10

Amend House Bill No. 1638 by adding the following language after the first sentence in Section 4(c):

"Provided, however, such sales at retail under this provision by a vertically integrated producer shall be made in accordance with all other provisions of this act."

Senate Amendment No. 12

Amend House Bill No. 1638 to amend by renumbering Section 5 to be Section 6 and making a new Section 5 by reading as follows:

The state department of agriculture shall report back to the 96th general assembly as to the effect if any that this act has had any impact on the gasoline and oil industry of the state of Tennessee as to competition, or price increases or decreases to the prices of gas, oil or any of its products that has caused any undue burden to the consumers of Tennessee.

Senate Amendment No. 14

Amend House Bill No. 1638 by adding the following new language to Section 1, item (9) of the bill to be designated as (D):

(D) The reasonable cost of overhead at that location.

Senate Amendment No. 16

Amend House Bill No. 1638 by inserting in item (9)(D) of the amendatory language of Section 1 the words "for petroleum products" after the word "overhead" and before the words "at that" so that the item reads:

(D)The reasonable cost of overhead for petroleum products at that location.

Rep. Kisber moved that the House concur in Senate Amendment No. 3, as amended; 10, as amended; 12; 14 and 16.

Rep. Copeland moved to divide the question; Division A being Amendments Nos. 3, as amended; 10, as amended; 12 and 14; and Division B being Amendment No. 16.

Rep. Kisber moved to concur in Division A, which motion prevailed.

Rep. Kisber moved to concur in Division B.

Rep. Copeland moved to table the motion to concur, which motion prevailed by the following vote:

Ayes.....	74
Noes.....	12
Present and not voting.....	2

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, ~~Frankley~~, Gaia, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holt, Hurley, Ivy, Jackson, Jared, Jones, U. (Shelby), Kent, King, Lawson, Long, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Stafford, Swann, Tankersley, Tanner, Turner, L. (Shelby), Ussery, West, Wheeler, Williams, Winningham, Wolfe, Wood, Yelton -- 74.

Representatives voting no were: Byrd, Holcomb, Kernell, Kisber, Love, Moore (Shelby), Phillips, Severance, Stallings, Turner (Hamilton), Turner, C. (Shelby), Whitson -- 12.

Representatives present and not voting were: Clark, Herron -- 2.

Senate Amendment No. 15

AND FURTHER AMEND by inserting immediately before the effective date section the following new section and numbering the sections accordingly:

SECTION ____ Nothing contained within the provisions of this act shall be construed to regulate the price of gasoline purchased at wholesale by a person solely for use in agricultural production activities on the farm of such person, nor to regulate the price of gasoline purchased at wholesale by an employer for the business use of his employees, nor to regulate the price of gasoline purchased at wholesale by any common carrier regulated by the public service commission, nor to regulate the price of gasoline for any other commercial transaction at wholesale.

Rep. Kisber moved that the House nonconcur in Senate Amendments Nos. 15 and 16. Rep. Kisber withdrew that motion.

Rep. Copeland moved to reconsider our action in tabling the motion to concur in Senate Amendment No. 14, which motion prevailed.

Rep. Kisber moved to nonconcur in Senate Amendments Nos. 14, 15, and 16, which motion prevailed.

House Bill No. 1642 -- Sunset Laws -- Extends termination date of Department of Revenue. Amends TCA, Title 4, Chs. 3, 29; Title 29, Ch. 13; Title 40, Ch. 24; Title 41, Ch. 22; Title 42, Ch. 1; Title 47, Ch. 25, Pt. 3; Title 47, Ch. 26, Pt. 8; Titles 55, 57; Title 60, Chs. 3, 4; Title 62, Ch. 33; Title 67; Title 68, Chs. 26, 46.

Senate Amendment No. 1

Amend House Bill No. 1642 by adding the following section to immediately precede the effective date section and by renumbering the effective date section accordingly:

Section ____ Tennessee Code Annotated, Section 67-1-1707, is amended by adding the following as new subsection (d) and by renumbering the existing subsection (d) and subsequent subsections accordingly:

(d) Upon request in writing, the commissioner may, in his discretion, furnish tax information to officers or employees of an agency of this state if such tax information is relevant to the functions and duties of the requesting agency. No agency or employee thereof who receives tax information under this subsection shall disclose such information to any person other than the person to whom it relates, except as otherwise may be authorized by law.

Rep. King moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	93
Noes.....	0

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 93.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to House Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 1807 and have this statement entered in the Journal.

Rep. Bill Purcell

PRESENT IN CHAMBER

Representative Bragg at 5:20 p.m. was recorded as being present in the Chamber.

MOTION TO RECONSIDER

***Senate Bill No. 1807 -- Mental Health and Mental Retardation, Dept. of --** Authorizes department to establish program to reimburse licensed supportive living facilities for mentally ill. Amends TCA, Title 12, Ch. 4.

Rep. Dixon moved to lift from the table the motion to reconsider Senate Bill No. 1807, which motion prevailed.

Rep. Dixon moved to reconsider our action in passing Senate Bill No. 1807, which motion prevailed.

Rep. Dixon move to reconsider our action in adopting Amendments Nos. 1 and 2, which motion prevailed, and further moved to withdraw Amendments Nos. 1 and 2.

Rep. Dixon move to repass Senate Bill No. 1807 on third and final consideration which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee,

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Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS, CONTINUED

House Bill No. 1938 -- Civil Defense -- Authorizes chief executive officer to appoint emergency communication board of directors members. Amends TCA, Title 7, Ch. 86, Pt. 1.

Senate Amendment No. 4

Amend House Bill No. 1938 by deleting all the language in its entirety, following the caption, and by substituting instead the following:

WHEREAS, there exists a need to allow the chief executive officer of any county with a metropolitan form of government and having a population of not less than four hundred thousand (400,000) persons nor more than five hundred thousand (500,000) persons according to the 1980 federal census or any subsequent federal census to appoint a board of directors of emergency communications districts, subject to the confirmation of the chief legislative body of said metropolitan government; and

WHEREAS, the legislative intent of this act is that the membership of the board of directors of emergency communications districts include persons who are minorities as well as members of the sex which historically have been under-represented on boards and commissions of said metropolitan governments; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-86-105(b), is amended by designating the existing language as subdivision (1) and by adding the following as subdivision (2):

(2) Provided further, in any county having a metropolitan form of government and having a population of not less than four hundred thousand (400,000) persons nor more than five hundred thousand (500,000) persons according to the 1980 federal census or any subsequent federal census, the chief executive officer of the metropolitan government may appoint a board of directors, composed of not less than seven (7) nor more than nine (9) members, subject to confirmation by the chief legislative body of the metropolitan government, which shall govern the affairs of the district. Appointments to

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the board of directors shall include members selected from minorities as well as members of the sex which historically have been under-represented on boards and commissions of the metropolitan government.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. West moved that the House concur in Senate Amendment No. 4, which motion prevailed by the following vote:

Ayes.	80
Noes.	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Frensley, Gaia, Garrett, Harrill, Hassell, Hawkins, Head, Herron, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Nance, Napier, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Severance, Stafford, Stallings, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 80.

Representatives voting no were: Chiles, Scruggs -- 2.

A motion to reconsider was tabled.

***House Bill No. 1956 -- Fees --** Authorizes imposition of impact fees.

Senate Amendment No. 3

Amend House Bill 1956 by adding the following language as a new section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION ____. This act shall only apply to any county having a metropolitan form of government and having a population in excess of four hundred fifty thousand (450,000), according to the 1980 federal census or any subsequent federal census.

Senate Amendment No. 4

Amend House Bill No. 1956 by deleting Section 10 in its entirety and by renumbering the subsequent sections accordingly.

Rep. Bushing moved that the House concur in Senate Amendments Nos. 3 and 4, which motion prevailed by the following vote:

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Ayes.	79
Noes.	8
Present and not voting.	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Ellis, Frensley, Gaia, Garrett, Good, Hassell, Hawkins, Head, Henry, Herron, Hobbs, Holt, Hurley, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, Miller, Montgomery, Moore (Lawrence), Napier, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 79.

Representatives voting no were: Davis (Knox), Duer, Harrill, Moody, Nance, Peroulas, Scruggs, Severance -- 8.

Representatives present and not voting were: Holcomb, Moore (Shelby) -- 2.

A motion to reconsider was tabled.

House Bill No. 2131 -- Sunset Laws -- Extends termination date of Institute of African Affairs. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 8, Pt. 8.

Senate Amendment No. 5

Amend House Bill No. 2131 by deleting the following language:

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. King moved that the House concur in Senate Amendment No. 5, which motion prevailed.

Senate Amendment No. 4

Amend House Bill No. 2131 by deleting Sections 2 and 3 in their entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Institute for African Affairs, created by Section 49-8-802;

AND FURTHER AMEND by deleting Section 3 in its entirety and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 49-8-802 is amended by deleting the section in its entirety and by substituting instead the following:
Section 49-8-802.

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(a) There is hereby established an Institute for African Affairs to provide continuing research, information, and economic and other assistance regarding the people and nations of Africa.

(b) There is hereby created a board which shall approve and monitor the activities and expenditures of the Institute for African Affairs. The board shall be composed of seven (7) members. The members shall include:

(1) The commissioner of the department of economic and community development or his designee;

(2) The president of Tennessee State University or his designee;

(3) Two (2) members to be appointed by the speaker of the senate, one (1) of whom shall serve a term of four (4) years, and one (1) of whom shall serve a term of six (6) years;

(4) Two (2) members to be appointed by the speaker of the house of representatives, one (1) of whom shall serve a term of four (4) years, and one (1) of whom shall serve a term of six (6) years; and

(5) One (1) member to be appointed by the governor. The member appointed by the governor shall serve a term of six (6) years.

Four (4) members shall constitute a quorum. Members shall be eligible for reappointment to the board. The governor shall select a chairman from the members of the board.

(1) The board shall appoint the executive director of the Institute for African Affairs. The executive director shall recommend, for board approval, staffing of the Institute.

(2) The chairman of the board shall submit budget requests of the institute for African Affairs to the department of finance and administration.

(3) The Institute for African Affairs shall have access to information and other resources of the department of economic and community development in order to achieve its objectives.

(c) Tennessee State University shall have no financial responsibility to the Institute for African Affairs. The board shall ensure that the executive director of the Institute complies with prudent financial procedures, as established by the comptroller of the treasury, for management of funds received by the Institute.

(d) The board is authorized to contract with Tennessee State University to achieve the goals of this act. Tennessee State University shall provide suitable office space to be leased to the Institute to implement and carry out the duties and functions of the Institute.

(e) The powers and duties of the Institute for African Affairs shall be:

(1) To collect and disseminate information about African nations on their culture, life style, religion, values, politics, natural resources, governments,

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businesses, and other economic areas that the people of this state would need to know to better understand the peoples of Africa;

(2) To collect and disseminate information about the possible economic needs of these nations;

(3) To sponsor workshops, seminars, conferences and cultural programs for business persons and others who are planning trips to Africa for the purpose of reducing possible cultural shock and/or preparing them for a more enjoyable and effective trip;

(4) To identify persons from Africa who are living in the state of Tennessee;

(5) To work closely with private and public organizations, profit and nonprofit, for effectuating better communication about the nations on the continent of Africa.

(6) To sponsor trade missions and other events that will enhance the relationship between Tennesseans and the peoples of Africa;

(7) To vigorously promote the sale and trade of Tennessee agriculture and other products to African; and

(8) To negotiate contracts with private and governmental agencies in pursuit of the objectives of the institute.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. King moved that the House nonconcur in Senate Amendment No. 4, which motion prevailed.

MOTION TO RECONSIDER

***Senate Bill No. 2224 -- Racing --** Adds factors for commission to consider in locating track; prohibits question at special elections. Amends TCA 4-36-302, 4-36-401.

Rep. U. Jones moved to lift from the table the motion to reconsider on Senate Bill No. 2224.

Rep. U. Jones moved to reconsider our action in passing Senate Bill No. 2224.

Rep. U. Jones moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 2224 by deleting from the end of the first complete sentence of the amendatory language of Section 1 the words "only if a change in zoning is required".

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AND FURTHER AMEND by deleting in the amendatory language of Section 1(v) the language "track location" wherever it appears and by substituting instead the language "proposed outdoor track location".

On motion, Amendment No. 3 was adopted.

Rep. U. Jones moves passage of Senate Bill No. 2224, as amended, on third and final consideration which motion prevailed by the following vote:

Ayes.....	82
Noes.....	6

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Herron, Hillis, Hobbs, Holt, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Swann, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 82.

Representatives voting no were: Buck, Henry, Holcomb, Hurley, Moody, Stafford -- 6.

A motion to reconsider was tabled.

Mr. Speaker Murray resumed the Chair.

CONFERENCE COMMITTEE APPOINTED

***House Bill No. 2339 -- Teenage Pregnancy --** Mandates family life instruction in counties with high rates of teenage pregnancy. Amends TCA, Title 49.

Rep. DeBerry moved that the House refuse to recede from its action in nonconcurring in Senate Amendments Nos. 1, 2, 3, 4, 5, 6 and 7, which motion prevailed.

Pursuant to **Rule No. 73**, Representative DeBerry moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 2339, which motion prevailed.

The Speaker appointed Representatives DeBerry, Williams and Bivens, as the House members of the Conference Committee on House Bill No. 2339.

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MOTION TO RECONSIDER

Senate Bill No. 1929 -- Drugs -- Provides for drug testing of students.
Amends TCA, Title 49, Ch. 6.

Rep. Davis (Gibson) moved to lift from the table the motion to reconsider Senate Bill No. 1929, which motion prevailed.

Rep. Davis (Gibson) moved to reconsider our action in passing Senate Bill No. 1929, which motion prevailed.

Rep. Davis (Gibson) moved to reconsider our action in adopting Amendment No. 4.

Rep. Rhinehart moved to divide the question on Amendment No. 4 as follows:

**Amendment No. 4
Division A**

Amend Senate Bill No. 1929 by deleting from subsection (b) in Section 1, as amended, the words "follow the procedures established by the local board of education" and substituting instead the following:

be performed by an accredited laboratory with personnel holding degrees in pharmacology, toxicology or analytical chemistry. The laboratory employee certifying the test result must have two years experience in analytic toxicology and the training necessary to recognition of aberrant results and quality control procedures.

Rep. Davis (Gibson) moved to adopt Division A of Amendment No. 4, which motion prevailed.

**Amendment No. 4
Division B**

Specimens confirmed as positive shall be retained for possible retesting or reanalysis for at least 365 days.

Rep. Davis (Gibson) moved to delete Division B of Amendment No. 4. Objections presented were subsequently withdrawn and the motion prevailed.

Rep. Davis (Gibson) moved to reconsider our action in adopting Amendment No. 5 and further moved to withdraw Amendment No. 5, which motion prevailed.

Rep. Davis (Gibson) moved the previous question on Senate Bill No. 1929, which motion failed.

Rep. Davis (Gibson) moved the previous question on Senate Bill No. 1929, which motion failed.

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Rep. Odom moved to amend as follows:

Amendment No. 14

Amend Senate Bill No. 1929 by adding the following sentence at the end of the subsection of Section 1 which reads "A parent of the student or a person legally responsible for him or her shall be notified before any drug test is administered to the student.":

Upon so notifying the parent or person legally responsible, the local education agency shall ascertain whether the student is taking, or has recently taken, medication pursuant to lawful prescription. If the student is taking, or has recently taken such prescription medicine, then no drug test shall be administered.

Rep. Jackson moved that Amendment No. 14 be tabled, which motion prevailed by the following vote:

Ayes.	55
Noes.	35

Representatives voting aye were: Buck, Byrd, Chiles, Coffey, Collier, Copeland, Crain, Curlee, Davis (Gibson), DeBerry, Drew, Duer, Ellis, Frensley, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holt, Hurley, Huskey, Jackson, Kisber, Lawson, McAfee, Miller, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Peroulas, Phillips, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Ussery, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 55.

Representatives voting no were: Bell, Bewley, Bivens, Bragg, Burnett, Bushing, Cain, Clark, Cross, Davidson, Davis (Knox), Dixon, Gaia, Garrett, Good, Herron, Holcomb, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Long, Love, May, Montgomery, Odom, Pruitt, Purcell, Rhinehart, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Whitson, Williams -- 35.

Rep. Moody moved to amend as follows:

Amendment No. 15

Amend Senate Bill No. 1929 by adding the following to subsection (b) of Section 1 as amended after the sentence which reads "The laboratory employee certifying the test result must have two years experience in analytic toxicology and the training necessary to recognition of aberrant results and quality control procedures.":

Specimens confirmed as positive shall be retained for possible retesting or reanalysis for at least ten (10) days.

On motion, Amendment No. 15 was adopted.

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Rep. Davis (Gibson) moved the previous question, which motion prevailed by the following vote:

Ayes.	70
Noes.	21
Present and not voting.	2

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Byrd, Cain, Coffey, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Kisber, Lawson, Long, Love, May, McAfee, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Ussery, Webb, West, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 70.

Representatives voting no were: Bragg, Burnett, Bushing, Clark, Davidson, DeBerry, Dixon, Herron, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Montgomery, Odom, Pruitt, Purcell, Robinson (Washington), Scruggs, Turner, L. (Shelby), Wheeler, Williams -- 21.

Representatives present and not voting were: Kernell, Turner (Hamilton) -- 2.

Thereupon, Rep. Davis (Gibson) moved that Senate Bill No. 1929, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	82
Noes.	13
Present and not voting.	1

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 82.

Representatives voting no were: Bewley, Burnett, Bushing, Clark, Dixon, Gaia, Jones, U. (Shelby), Long, Odom, Pruitt, Purcell, Turner, L. (Shelby), Williams -- 13.

Representative present and not voting was: DeBerry -- 1.

A motion to reconsider was tabled.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2416, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS, CONTINUED

House Bill No. 2416 -- Housing -- Revises Tennessee Housing Development Agency Act. Amends TCA, Title 13, Ch. 23, 67-4-409.

Senate Amendment No. 4

Amend House Bill No. 2416 by deleting from the amendatory language of Section 9 and from the seventh unnumbered section of Section 10 the word and figures "Section 11" wherever they appear and substituting instead the word and figures "Section 10"

AND FURTHER AMEND BY deleting Section 13 in its entirety and substituting instead the following new sections and renumbering the subsequent sections accordingly:

SECTION 13. Tennessee Code Annotated, Section 67-4-409, is amended by inserting in the first sentence of subsection (a) between the word and symbol "thereof," and the word "as" the following language:

"except that until July 1, 1991, the tax shall be thirty-three cents (33¢) per one hundred dollars (\$100), or major fraction thereof,"

Tennessee Code Annotated, Section 67-4-409, is further amended by changing the period (.) to a comma (,) at the end of the first sentence in subsection (b) and adding the following language:

"except that until July 1, 1991, the tax shall be eleven and one-half cents (11 1/2¢) on each one hundred dollars (\$100) or major fraction thereof of the indebtedness so evidenced."

SECTION 14. Tennessee Code Annotated, Section 13-23-111, is amended by deleting from the first sentence thereof the words "members of the agency appointed by the governor" and substituting the following:

"appointed members of the agency"

SECTION 15. Tennessee Code Annotated, Section 13-23-120(e)(3), is amended by adding a new item to read as follows:

"(C) It shall be the duty and responsibility of the bond finance committee to periodically review and evaluate the performance of the agency's trustee and report its findings and recommendations to the board of directors."

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SECTION 16. Tennessee Code Annotated, Section 13-23-120, is amended by deleting from the last sentence in subsection (f) the words "as provided in Section 45-2-607" and substituting instead the following language:

"in the same manner as permitted by law for the investment of state funds"

SECTION 17. Tennessee Code Annotated, Section 13-23-121(a), is amended by deleting the words and figures "one billion three hundred thirty-two million dollars (\$1,332,000,000)" from the first sentence and substituting instead the following words and figures :

"one billion five hundred fifty million dollars (\$1,550,000,000)"

Rep. Miller moved that the House concur in Senate Amendment No. 4, which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to House Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1929 and have this statement entered in the Journal.

Rep. Ben West, Jr.

MOTION

Rep. Naifeh moved to suspend the rules so that all bills lying on the Clerk's desk be introduced and passed on first consideration; and all congratulatory and memorializing House Resolutions, House Joint Resolutions and Senate Joint Resolutions be introduced and placed on the consent calendar for Thursday, April 28, 1988.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1505, 2009 and 2048; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 347, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1332, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1758, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2053, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2059, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2110, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2142, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2349, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2395, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2396, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2406, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

RULES SUSPENDED

Rep. Naifeh moved to suspend House Rule No. 59 so that all messages lying on the desk and coming out of the Senate tonight be placed on the Message Calendar for Thursday, April 28, 1988, which prevailed. The following bills were so placed:

House Bill No. 347 by Rep. Yelton; House Bill No. 1332 by Rep. Rhinehart; Senate Bill No. 1687 by Rep. Starnes; House Bill No. 1758 by Rep. Drew; House Bill No. 2053 by Rep. Hassell; House Bill No. 2059 by Rep. Dixon; House Bill No. 2110 by Rep. Miller; House Bill No. 2142 by Rep. Purcell; House Bill No. 2395 by Rep. Herron; House Bill No. 2396 by Rep. Herron; House Bill No. 2406 by Rep. Naifeh.

RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 790 out of order, which motion prevailed.

House Joint Resolution 0790 -- Memorials, Public Service -- Honors Representative John Tanner on service to General Assembly. by *Naifeh, *Ivy, *Bivens, *Murray, *Crain, *Stallings, *Kisber, *Ridgeway, *West, *Herron, *Davis Ray, *Holt, *Collier.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, with the request that all members be added as sponsors, the resolution was adopted by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

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RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 793 out of order, which motion prevailed.

House Joint Resolution 0793 -- Memorials, Public Service -- Honors Representative Jerry Jared on service as member of General Assembly. by *Naifeh, *Davidson, *Winningham, *Wix, *Robinson Robb, *Stallings, *Long, *DePriest, *Hillis, *Murray, *Cross, *Bivens, *Head, *Kisber, *Bell, *Herron, *Rhinehart, *Tanner, *West, *Clark, *Purcell, *Bushing, *Pruitt, *Byrd, *Jones U, *Turner C, *Bragg, Love, Gaia, Cain, Kernell, Jones R, Turner L, Dixon, Shirley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, with the request that all members be added as sponsors, the resolution was adopted by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 791 out of order, which motion prevailed.

House Joint Resolution 0791 -- Memorials, Public Service -- Honors Representative L.H. "Cotton" Ivy on service to General Assembly. by *Naifeh, *Tanner, *Murray, *Burnett, *Crain, *Davis Ray, *Herron, *Ridgeway, *Stallings, *Kisber, *Rhinehart, *Bragg, *Collier, *Bivens, *Holt.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, with the request that all members be added as sponsors, the resolution was adopted by the following vote:

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Ayes.	98
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

MOTION

Rep. Robinson (Hamilton) moved that **House Bill No. 2530**, passing second consideration later today, be placed on the regular floor calendar for Thursday, April 28, 1988, rather than on the consent calendar for that date, as it needs to be amended. The motion prevailed.

BILL RE-REFERRED

Rep. Moore (Lawrence) moved that **House Bill No. 2511** be transferred from the State and Local Committee to the Calendar and Rules Committee, which motion prevailed.

RULES SUSPENDED

Rep. Moore (Lawrence) moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee so that **House Bill No. 2511** can be heard by the Calendar and Rules Committee on Wednesday, April 27, 1988, which motion prevailed.

MOTION

Rep. Davis (Gibson) moved that **House Bill No. 2533**, passing second consideration later today, be placed on the regular floor calendar for Thursday, April 28, 1988, rather than on the consent calendar for that date, as it needs to be amended. The motion prevailed.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 513, 514, 515, 516, 517, 519 and 520; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution 0513 -- Memorials, Retirement -- Honors W.R. "Chick" Holland on service as director of Cookeville Electric Department.

Senate Joint Resolution 0514 -- Memorials, Professional Achievement -- Honors Nancy Hastings Sehested on receiving 1988 "Women of Achievement" award.

Senate Joint Resolution 0515 -- Memorials, Recognition and Thanks -- Commends Samuel Jeffrey Summers, 1988 legislative intern.

Senate Joint Resolution 0516 -- Memorials, Recognition and Thanks -- Commends Kisha Holland, page for the Senate.

Senate Joint Resolution 0517 -- Memorials, Recognition and Thanks -- Honors Alethia Williams-Armstrong for services as research analyst to Senate State and Local Government Committee.

Senate Joint Resolution 0519 -- Memorials, Recognition and Thanks -- Commends Jeffrey Lynn Buck, 1988 legislative intern.

Senate Joint Resolution 0520 -- Memorials, Congratulations -- Honors Clara May Callens Sands on 105th birthday.

RULES SUSPENDED

Rep. Tanner moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 520 out of order, which motion prevailed.

Senate Joint Resolution 0520 -- Memorials, Congratulations -- Honors Clara May Callens Sands on 105th birthday.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Tanner, the resolution was concurred in.

A motion to reconsider was tabled.

MOTION

Rep. Phillips move to recall Senate Joint Resolution No. 399 from the General Welfare Committee and refer it to Calendar and Rules (having permission of both chairmen) and place it on the floor calendar for Thursday, April 28, 1988.

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***Senate Joint Resolution 0399 -- Memorials, Government Officials -- Urges Department of Mental Health and Mental Retardation to utilize Camp Discovery for placement of certain clients.**

RULES SUSPENDED

Rep. Buck moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 823 out of order, which motion prevailed.

House Joint Resolution 0823 -- General Assembly, Studies -- Requests governor to submit recommendation regarding statutory changes needed to operate Boot Camp by Department of Correction. by *Buck, *Turner C, *Curlee.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Buck, the resolution was adopted by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifah, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 67: Rep. Peroulas added as a prime sponsor.

House Bill No. 2193: Rep. Peroulas added as a prime sponsor.

ANNOUNCEMENTS

The Special Joint Legislative Committee to Study Employment Training, created by House Joint Resolution No. 245 from 1987, has completed its work and filed its report in the Clerk's office.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

NOTICE

On Monday, April 25, 1988, Rep. Kisber moved to suspend **Rule 81-1** so that all resolutions reported out of Calendar and Rules subcommittee on Tuesday, April 26, could be heard by the Calendar and Rules Committee, with notice properly filed, on Wednesday, April 27. The resolutions reported out are as follows: House Resolutions Nos. 109 and 115; House Joint Resolutions Nos. 551, 617, 661, 693, 732 and 751; Senate Joint Resolutions Nos. 122, 366, 413 and 414.

NOTICE

On Monday, April 25, 1988, Rep. Bragg moved to suspend **Rule 81-1** so that all bills reported out of Finance, Ways and Means Committee on Tuesday, April 26, could be heard by the Calendar and Rules Committee, with notice properly filed, on Wednesday, April 27. The bills reported out are as follows: House Bills Nos. 424, 779, 2207, 2313, 2323 and 2324.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1957.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1, 2, 3, 4 and 5.

The Speaker appointed a Conference Committee composed of Senators Lashlee, McNally, Lewis, Person and Haynes to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 1957.

CLYDE McCULLOUGH, JR.,
Chief Clerk.

CONFERENCE COMMITTEE APPOINTED

Pursuant to **Rule No. 73**, Representative Bragg moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 1957, which motion prevailed.

The Speaker appointed Representatives Bragg, Cain, Head, Kent and Rhinehart, as the House members of the Conference Committee on Senate Bill No. 1957.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0158 -- Memorials, Recognition and Thanks -- Commends Philip K. Smith, 1988 legislative intern. by *Tanner, *Bivens, *West.

House Resolution No. 158 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

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***House Joint Resolution 0802** -- Memorials, Government Officials -- Requests board of regents to review and consider recommendations of UT-K task force on race relations. by *Jones R.

The Speaker referred House Joint Resolution No. 802 to the Education Committee.

***House Joint Resolution 0803** -- Memorials, Government Officials -- Requests University of Tennessee board of trustees to review and consider recommendations of UT-K task force on race relations. by *Jones R.

The Speaker referred House Joint Resolution No. 803 to the Education Committee.

***House Joint Resolution 0809** -- Memorials, Government Officials -- Requests Postmaster General and Citizens Stamp Advisory Committee to issue stamp in honor of Elvis Presley. by *Miller, *Peroulas, *Scruggs, *Drew, Turner L, DeBerry, Jones R, Byrd, Cain, Pruitt, Dixon, Jones U, Severance, Davis J K, King, Bell, Tanner, Davis Ray, Hobbs, Ivy, McAfee, Duer.

The Speaker referred House Joint Resolution No. 809 to the State and Local Government Committee.

House Joint Resolution 0814 -- Memorials, Recognition and Thanks -- Honors Candace Silvasy, 1988 legislative intern. by *Hillis, *Wix, *Kernell.

House Joint Resolution No. 814 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0815 -- Memorials, Professional Achievement -- Congratulates John Seigenthaler on election as President of American Society of Newspaper Editors. by *Love.

House Joint Resolution No. 815 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0816 -- Memorials, Public Service -- Commends Representative Lois M. DeBerry for devotion to activities of Tennessee Black Caucus of State Legislators. by *Love.

House Joint Resolution No. 816 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0817 -- Memorials, Public Service -- Commends Representative Rufus E. Jones for service as chairman of Tennessee Black Caucus of State Legislators. by *Love.

House Joint Resolution No. 817 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0818 -- Memorials, Sports -- Honors Kellie Gleason for being chosen by AP to All-State team; recognizes honorable mentions Jerri Ann Gage, Daneen Windom and Mary Witherington. by *Herron.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

House Joint Resolution No. 818 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0819 -- Memorials, Sports -- Congratulates Popeye Jones, Darren Williams, Peanut Winn, Mark Hardy, Warren Hamner and Mike Devine on all state basketball honors. by *Herron.

House Joint Resolution No. 819 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0820 -- Memorials, Professional Achievement -- Honors Hank Williams, Jr. on selection as Entertainer of the Year by ACM and CMA. by *Ridgeway.

House Joint Resolution No. 820 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0821 -- Memorials, Public Service -- Honors 40th Ward New Chicago Civil Club for service to community. by *Jones U.

House Joint Resolution No. 821 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0822 -- Memorials, Congratulations -- Congratulates Paris Elks Lodge No. 816 on winning Elks memorial service contest. by *Ridgeway, *Collier, *Webb.

House Joint Resolution No. 822 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0824 -- Memorials, Congratulations -- Welcomes Elder Rex Reeve of Church of Jesus Christ and Latter Day Saints to Tennessee. by *Starnes.

House Joint Resolution No. 824 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0825 -- Memorials, Sports -- Commends Clayton Page for accomplishments as Gleason High School football team. by *Herron.

House Joint Resolution No. 825 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0826 -- Memorials, Recognition and Thanks -- Honors Brian J. Quarles, 1988 legislative intern. by *Turner L, *Ellis, *Shirley.

House Joint Resolution No. 826 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

House Joint Resolution 0827 -- Memorials, Sports -- Honors John Parker, Class A State Baseball Player of the Year for 1987. by *Herron.

House Joint Resolution No. 827 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0828 -- Memorials, Personal Achievement -- Honors valedictorians and salutatorians of Weakley County High Schools. by *Herron.

House Joint Resolution No. 828 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0829 -- Memorials, Professional Achievement -- Honors William G. Hiles, Jr. on receipt of School Bell Award. by *Holt.

House Joint Resolution No. 829 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0830 -- Memorials, Congratulations -- Honors Gene Edward VanBuren on representing Tennessee in National Honors Program for High School Students. by *Clark, *Purcell.

House Joint Resolution No. 830 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0831 -- Memorials, Recognition and Thanks -- Honors Trent Hanover, 1988 legislative intern. by *Kernell, *Turner C.

House Joint Resolution No. 831 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0832 -- Memorials, Recognition and Thanks -- Commends Carol Jean Fulcher, 1988 legislative intern. by *Murray.

House Joint Resolution No. 832 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0833 -- Memorials, Recognition and Thanks -- Honors Amy E. Bledsoe, 1988 legislative intern. by *Davis J K.

House Joint Resolution No. 833 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

House Joint Resolution 0834 -- Memorials, Sports -- Honors Coach Tom Tighe and the awesome General Assembly softball team on winning 1987 State Mixed League championship. by *Wheeler.

House Joint Resolution No. 834 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

House Joint Resolution 0835 -- Memorials -- Honors Williamson Chapel CME Church on 102 year history. by *Bell.

House Joint Resolution No. 835 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Senate Joint Resolution 0459 -- Memorials, Personal Achievement -- Honors Tom T. Hall on career in music and entertainment.

Senate Joint Resolution No. 459 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0473 -- Memorials, Sports -- Honors Loudon High School basketball cheerleading squad.

Senate Joint Resolution No. 473 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0474 -- Memorials, Public Service -- Honors Christine L. Hillenmeyer.

Senate Joint Resolution No. 474 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0475 -- Memorials, Condolence -- Honors memory of Dr. B. H. Goetherth.

Senate Joint Resolution No. 475 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0477 -- Memorials, Recognition and Thanks -- Honors Cynthia Brickell, 1988 legislative intern.

Senate Joint Resolution No. 477 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0478 -- Memorials, Sports -- Honors Coach Larry Ricker and South Greene High School girls' basketball team on winning TSSAA Class AA state tournament.

Senate Joint Resolution No. 478 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0479 -- Memorials, Recognition and Thanks -- Recognizes and thanks Brian Supercynski for his contributions as a legislative intern.

Senate Joint Resolution No. 479 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

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Senate Joint Resolution 0480 -- Memorials, Recognition and Thanks -- Honors Brad Bowman, 1988 legislative intern.

Senate Joint Resolution No. 480 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0481 -- Memorials, Recognition and Thanks -- Expresses appreciation to Saturn Corporation and CSX Corporation for rail excursion to Saturn plant site.

Senate Joint Resolution No. 481 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0484 -- Memorials, Professional Achievement -- Honors A. Hamid Andalib, Chattanooga Jaycees Distinguished Service Award winner.

Senate Joint Resolution No. 484 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0485 -- Memorials, Public Service -- Honors Roger Dale Bunch for dedication to Greenbrier High School Band.

Senate Joint Resolution No. 485 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0486 -- Memorials, Sports -- Recognizes Mike Newman on outstanding career as high school wrestler.

Senate Joint Resolution No. 486 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0491 -- Memorials, Retirement -- Honors Harry Childress on retirement from U.S. Postal Service.

Senate Joint Resolution No. 491 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0494 -- Memorials, Recognition and Thanks -- Recognizes and thanks Kris Whitson for contributions as a legislative intern.

Senate Joint Resolution No. 494 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0504 -- Memorials, Professional Achievement -- Honors Thom Thi Bach on receiving 1988 "Women of Achievement" award.

Senate Joint Resolution No. 504 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0505 -- Memorials, Professional Achievement -- Honors Mary Wright Robinson on receiving 1988 "Women of Achievement" award.

Senate Joint Resolution No. 505 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

Senate Joint Resolution 0506 -- Memorials, Professional Achievement -- Honors Alzada Clark on receiving a 1988 "Women of Achievement" award.

Senate Joint Resolution No. 506 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0507 -- Memorials, Recognition and Thanks -- Honors Jane Bauer for service to General Assembly.

Senate Joint Resolution No. 507 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0508 -- Memorials, Sports -- Congratulates University of Tennessee women's basketball team on great season.

Senate Joint Resolution No. 508 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0509 -- Memorials, Condolence -- Honors the memory of Earnest Joyce, Sr.

Senate Joint Resolution No. 509 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0510 -- Memorials, Sports -- Honors Coach Larry Funderburk and South Fulton High School boys' basketball team.

Senate Joint Resolution No. 510 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0511 -- Memorials, Sports -- Honors Coach Steve Shipley and Oak Ridge High School boys' basketball team.

Senate Joint Resolution No. 511 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0512 -- Memorials, Retirement -- Honors John Lewis Butler on retirement as principal from Johnson County High School.

Senate Joint Resolution No. 512 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0513 -- Memorials, Retirement -- Honors W. R. "Chick" Holland on service as director of Cookeville Electric Department.

Senate Joint Resolution No. 513 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0514 -- Memorials, Professional Achievement -- Honors Nancy Hastings Sehested on receiving 1988 "Women of Achievement" award.

Senate Joint Resolution No. 514 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

Senate Joint Resolution No. 515 -- Memorials, Recognition and Thanks -- Commends Samuel Jeffrey Summers, 1988 legislative intern.

Senate Joint Resolution No. 515 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0516 -- Memorials, Recognition and Thanks -- Commends Kisha Holland, page for the Senate.

Senate Joint Resolution No. 516 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0517 -- Memorials, Recognition and Thanks -- Honors Alethia Williams-Armstrong for services as research analyst to Senate State and Local Government Committee.

Senate Joint Resolution No. 517 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

Senate Joint Resolution 0519 -- Memorials, Recognition and Thanks -- Commends Jeffrey Lynn Buck, 1988 legislative intern.

Senate Joint Resolution No. 519 was introduced; placed on the Consent Calendar for Thursday, April 28, 1988.

RESOLUTIONS LYING OVER

Senate Joint Resolution 0446 -- Memorials, Government Officials -- Urges U.S. trade representative and president to exercise all powers under 1974 Trade Act to establish fair market for U.S. tobacco products in South Korea.

The Speaker referred Senate Joint Resolution No. 446 to the Calendar and Rules Committee.

Senate Joint Resolution 0489 -- General Assembly, Proclamations -- Proclaims October 12, 1988 as "Firefighters Recognition Day" and October 9-15, 1988 as "Firefighters Recognition Week".

The Speaker referred Senate Joint Resolution No. 489 to the Calendar and Rules Committee.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2526 -- Anderson County -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2528 -- LaGrange -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2529 -- Germantown -- Passed second consideration and held on the Clerk's desk.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

House Bill No. 2530 -- Hamilton County -- Passed second consideration and placed on floor calendar for Thursday, April 28, 1988.

House Bill No. 2531 -- Cheatham County -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2532 -- Selmer -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2533 -- School Districts -- Passed second consideration and placed on the floor calendar for Thursday, April 28, 1988.

House Bill No. 2534 -- Milan -- Passed second consideration and held on the Clerk's desk.

REPORT OF STANDING COMMITTEE

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 424 (with amendment), 779 (with amendment), 2207, 2313 (with amendment), 2323 (with amendment) and 2324 (with amendments).

BRAGG, Chairman.

Under the rules, House Bills Nos. 424 (with amendment), 779 (with amendment), 2207, 2313 (with amendment), 2323 (with amendment) and 2324 (with amendments) were transmitted to the Committee on Calendar and Rules.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 519, 1544, 1618 and 2033; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 144, 145, 146, 147, and 152; and House Joint Resolutions Nos. 457, 468, 514, 515, 694, 704, 705, 706, 707, 708, 709, 711, 713, 715, 718, 719, 721, 722, 723, 724, 725, 726, 727, 730, 731, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 753, 755, 756, 757, 758, 759, 761, 762, 763, 765, 771, 772, 773 and 779; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolution No. 467.

SIGNED

The Speaker announced that he had signed the following: House Resolutions Nos. 144, 145, 146, 147 and 152; and House Joint Resolutions Nos. 457, 468, 514, 515, 694, 704, 705, 706, 707, 708, 709, 711, 713, 715, 718, 719, 721, 723, 724, 725, 726, 727, 730, 731, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 753, 755, 756, 757, 758, 759, 761, 762, 763, 765, 771, 772, 773 and 779.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 766, 768, 769, 774, 775, 776, 777, 778, 780 and 781; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 766, 768, 769, 774, 775, 776, 777, 778, 780 and 781; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1426, 1649 and 2342; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1768, 2136, 2137, 2138, 2139, 2140, 2141 and 2143; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

SIGNED

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 766, 768, 769, 774, 775, 776, 777, 778, 780 and 781.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 75, 2035, 2108, 2504 and 2514; and House Joint Resolutions Nos. 518, 567, 625 and 639; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 75, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2284, passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 2284 --Consumer Protection -- Affords remedy to innocent purchasers of vehicle with altered identification number. Amends TCA, Title 9, Ch. 3; Title 47, Ch. 18; Title 55. Ch. 5.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 67, 412, 1367 and 1503; and House Joint Resolutions Nos. 795, 797 and 798; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 945; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2453, passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 2453 -- Alcoholic Offenses -- Permits court to sentence DUI first offenders to remove litter from public streets and highways in lieu of incarceration. Amends TCA 55-10-403.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1705, 2469, 2471, 2512, 2513, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523 and 2525; and House Joint Resolutions Nos. 688, 782, 783, 784, 786, 787, 788, 789, 792, 794, 796, 799, 800, 801, 804, 805, 806, 807, 808, 810, 811, 812 and 813; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 945 and 2268; both substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1776, 2010, 2175, 2249, 2272 and 2368; also, House Joint Resolutions Nos. 764, 766, 768, 769, 774, 775, 776, 777, 778, 780 and 781; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 935, 1502, 1559, 2184 and 2259; also, Senate Joint Resolutions Nos. 452, 454, 455, 457, 460, 463, 464, 465, 466 and 472; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

TUESDAY, APRIL 26, 1988 -- EIGHTY-EIGHTH LEGISLATIVE DAY

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 935, 1502, 1559, 2184 and 2259; Senate Joint Resolutions Nos. 452, 454, 455, 457, 460, 463, 464, 465, 466 and 472.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1463; and House Joint Resolutions Nos. 790, 791, 793 and 823; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 698, 699, 700, 701, 702 and 703; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following additional bills and/or resolutions on the Calendar for Thursday, April 28, 1988: House Bills Nos. 1706, 2091, 2250, 2331; Senate Bill No. 38; House Bills Nos. 2367, 2218, 2325, 2003, 2217, 1026, 1521, 2111; and House Joint Resolution No. 458.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present and not voting were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley,

TUESDAY, APRIL 26, 1966 — EIGHTY-EIGHTH LEGISLATIVE DAY

Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winingham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray — 98.

On motion of Rep. Naffish, the House adjourned until 9:00 a.m., Thursday, April 28, 1966.